Taqleed

Hanafi Fiqh
Qiyaas
256 Questions
Why Follow One Imaam of Fiqh
Taqleed Made Easy
Necessity for Taqleed

Compiled by:
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(May Allaah Taa'a protect him)

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Taqleed: A compilation of Booklets on the subject of Taqleed.

Compiled by Mufti Afzal Hoosen Elias

Content Booklets:

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Hanafi fiqh

FIQH is that comprehensive knowledge (Ilm), from amongst the knowledge (Uloom) of Islaam, which is based upon Kitaabullaah (Qur`aan Shareef), the Sunnat of Rasulullah (sallallahu alaihi wasallam), Ijma of the Ummat (consensus of opinion) and Qiyaas (analogy). These four basics form such a magnanimous structure, which alleviates every Mas`ala and ruling pertaining to mankind from his birth until death. All aspects of life are covered comprehensively by this structure, which is made up of these four basics. The fact of the matter is that no Muslim can be independent of Fiqh and still perform Salaat in a complete manner, or Hajj, or any other tenet of Islaam. The magnificence of Hanafi Fiqh is overflowing with Qur`aan and Hadith. Just as the (Muslim) world today, is familiar with the seven different Qiraats of the Qur`aan Shareef, so too is there four different Mazaahib (schools of thought), where the Sunnat of Nabi (sallallahu alaihi wasallam) is to be found.

Just as, if a person recites only one type of Qiraat, from the seven different types, for his entire life, he will still receive the reward of reciting the Qur`aan Shareef. If he restricts himself only to one type of recitation, he will still receive full reward for his recitation, and there will be no decrease in his reward.
In the same way, if a person only follows one Mazhab for his entire life, he will still receive the full reward of practising upon the Sunnat of Nabi (sallallahu alaihi wasallam). This (the four different Mazaahib) is the simple way of putting into practice the Sunnat of Nabi (sallallahu alaihi wasallam), and it is a way which is firm and protective.

Allaah Ta`ala spread the Noor of Hidaayat in this world through the medium of the Prophets (alaihimus salaam), and our Nabi (sallallahu alaihi wasallam) was sent as a guide for the entire mankind upto the day of Qiyaamah. In this way he (sallallahu alaihi wasallam) was granted the honour of being the best of all the Prophets (alaihimus salaam).
Similarly, the Ummat was granted the Noor of the Sunnat of Nabi (sallallahu alaihi wasallam) via the agency of the four different Imaams. But, the beneficence of Imaams Shaafi, Maalik and Ahmed (rahmatullahi alaihim) was limited to only specific areas and groups. Their followers can be found in defined areas and countries.
Whereas, the Sunnat of Nabi (sallallahu alaihi wasallam) which was spread through Imaam Abu Hanifah (rahmatullahi alaih) can be found in every corner of the earth.

Therefore, the following can safely be averred, without fear of any reprisals, that the Kalima of Islaam, the Kalaam of Allaah Ta`ala (Qur`aan Shareef) and the Sunnat of Nabi (sallallahu alaihi wasallam) was propagated throughout the globe via Imaam Saheb and his followers. Therefore he has been honoured with the title of 'Imaam A`zam' throughout the Islaamic world. It is the good fortune of the Hanafis that their Nabi (sallallahu alaihi wasallam) was *the* Nabi and their Imaam is *the* Imaam.

It is for this reason that Imaam Abdullah bin Dawood Al-Khareebi (rahmatullahi alaih) - passed away 213 A.H. - used to say:
"It is Waajib for all Muslims that they make du`aa unto Allaah Ta`ala, for Imaam Abu Hanifah (rahmatullahi alaih) and that they say that he has (with the Fadhl of Allaah Ta`ala) safeguarded the Sunnat and Fiqh." **[Taarikh Baghdad, page 342, vol.12 / Al-Bidaaya wan Nihaaya, page 107, vol.1]**

The Sunnat of Nabi (sallallahu alaihi wasallam) is being spread throughout the world, via the Hanafi Fiqh. Thousands of Muhadditheen, hundreds of thousands of Fuqaha and millions of the public, have treaded and are still treading upon the tenets of Islaam, following this very same Fiqh (of Imaam A`zam (rahmatullahi alaih)). This Fiqh is also being executed for centuries in the Haramain Sharifain and throughout the Muslim world.

Some people have, due to their ignorance, and others due to jealousy, objected to this Fiqh. May Allaah Ta`ala make it such that, just as Imaam Abu Hanifah (rahmatullahi alaih)'s followers and well-wishers' good actions reach him, so too must the good deeds of his Haasideen (those who are jealous of him), be a cause of his stages being raised.

Nu`aim bin Hammaad, was one such person, who was in the fore-front amongst the Haasideen of Imaam Saheb (rahmatullahi alaih). He even went so far as to concoct Ahadith in order to disprove Imaam Saheb (rahmatullahi alaih). He fabricated stories wherein he disgraced Imaam Saheb (rahmatullahi alaih).
The famous Ghair-Muqallid Aalim, Moulana Muhammed Ebrahim Saheb Siyaalakoti, has written in his Kitaab, 'Taarikh Al-Hadith', on pages 68 to 70, that this Nu`aim bin Hammaad has in many kitaabs written fabricated Ahadith and stories regarding Imaam Saheb (rahmatullahi alaih). He even wrote that this person authored many kitaabs in refutation of the Ahnaaf. [page64]

This person died in 228 A.H., and the era of the Tab`a Taabi`een lasted until 221 A.H., by this time the Hanafi Fiqh has spread far and wide. He wrote many kitaabs in refutation of Hanafi Fiqh, which were replete with false Ahadith and stories. This much is as clear as daylight that until the end of the 'best of eras', no intelligent and authentic objection could be raised against Imaam Saheb's Fiqh. Yes, a difference of opinion from an Ilmi point of view is a different thing.

This jealous person, Nu`aim bin Hammaad, differed from the mainstream belief of the Ahle Sunnat wal Jamaat, in that he averred that the Qur`aan Shareef is Makhlooq. He was arrested, chained and flung in a hole, where he died. He was neither given a proper Kafan nor was Janaaza Salaat read for him. [Taarikh Baghdad, page 314, vol.13].

Those Ghair Muqallideen of present times who also fabricate Ahadith and stories, and vociferously oppose the Hanafis with their propaganda, thereby strengthening the stand of the Shias and objectors of Ahadith, must take a lesson from the epilogue in the life of Nu`aim bin Hammaad. They should take serious heed to the words (which are worthy of framing), of their famous Ghair Muqallid Aalim, Haafiz Abdul Mannaan Saheb Waziraabaadi, who used to say that the person who degrades the Ulama-e-Deen, especially Imaam Saheb (rahmatullahi alaih), his death will not be a nice one. [Taarikh Ahle Hadith, page 437]. Spitting at the moon, only results in it falling back on one's face. Nu`aim bin Hammaad did not escape unscathed from his attack upon Imaam Saheb and his Fiqh. A disgraceful fate afflicted him.

Hadhrat Moulana Tajammul Hussein Saheb Bahari writes: "One Ghair Muqallid Aalim, Moulana Muhammed Ebrahim Saheb Aarwi went to Macca Mukarrama. There he met Hadhrat Moulana Sayyid Shah Muhammed Ali Saheb Moongiri. Moulana Muhammed Ebrahim narrated: 'I saw Nabi (sallallahu alaihi wasallam), who was presiding a gathering, in my dream. Imaam A`zam, Abu Hanifah (rahmatullahi alaih) was also present in this majlis. Nabi (sallallahu alaihi wasallam) said to me:

'You have bad thoughts about him (referring to Imaam Saheb), ask his forgiveness!' I immediately knelt at Imaam Saheb's feet and sought forgiveness.'"
[Kamaalaat Ruhmaani, page 17]

IMAAM ABU BAKR BIN ABI SHAIBAH (rahmatullahi alaih)

One of the benefactors of Hanafi Fiqh was a Buzrook by the name of Imaam Abu Bakr bin Abi Shaibah (rahmatullahi alaih). He passed away in 235 A.H. He had compiled a voluminous Hadith Kitaab, which spanned 16 volumes. The Ghair Muqallideen, have regarded this Kitaab as being nugatory. However, in one of the volumes, there appear some objections to some of Imaam Saheb's Masaa`il. These people(Ghair Muqallids), have taken copiously from here.
Nevertheless, there are two very important points regarding this Kitaab.

This Kitaab has a compilation of Fiq`hi Fataawa of more than 30 000 Sahaba (radhiAllaahu anhum) and Taabi`een (rahmatullahi alaihim). There does not appear any Qur`aanic proof from the Sahabi or Taabi`i providing the Fatwa. Nor is there any Hadith cited in support of the Fatwa given. There is also no record of objectors to these Fataawa.
This proves that during the era of the Sahabah and Taabi`een, Fataawa were given without and proof being cited from Qur`aan Shareef or Ahadith. The people practised upon these Fataawa without seeking any such proof. There is no evidence of anyone refuting these continuous practises. This is called Taqleed.

The analysis of the differences Imaam Ibn Shaibah had with Hanafi Fiqh is as follows:
It is stated in 'Inaaya', which is the commentary of 'Hidaya', that the total number of Hanafi Fiqhi Masaa`il exceeds 1 260 000 (i.e. more than one million, two hundred and sixty thousand). Imaam Ibn Shaiba has differed upon only 125 Masaa`il. If we assume that his differences were exactly this (i.e.125), then the ratio between correctness and incorrectness of the Hanafi Masaa`il, would be one incorrect one to every 10 160 correct ones. Therefore, (according to one Hadith), there will be two rewards for every one of the 10 160 correct rulings and one reward for every one incorrect. It is very possible that there is *no Muhaddith*, who has attained this ratio of incorrect to correct rulings, ever.

When we study the differences of Imaam ibn Abi Shaibah, we note that there are atleast 60 Masaa`il, where there appears Ahadith on both sides. According to Imaam ibn abi Shaibah one Hadith is preferred and according to Imaam Saheb (rahmatullahi alaih) another Hadith is preferred. Imaam Saheb (rahmatullahi alaih) used to say: *"If a Hadith is authenticated, then that is my Mazhab."* [Shaami]. Hence, we see that the Hadith he has preferred *is an authentic one.*
Imaam Sufyaan Thauri (rahmatullahi alaih) said that Imaam Abu Hanifah (rahmatullahi alaih) only used authentic Ahadith, where the narrators were completely reliable. He was also well aware of 'Naasikh Mansookh' (i.e. which Hadith was abrogated and which was abbrogatory). He was also very particular to ascertain which action was the one executed by Nabi (sallallahu alaihi wasallam) during his last stages. He also kept his views in agreement to the majority of the Ulama of his time. [Al Khairaatul Hasanaat, page 30].

In those Ahadith where there existed 'contradictions', Imaam Saheb used to take that Hadith which he and other Muhadditheen accepted as the most authentic one. It is also apparent that he accepted the 'replacement' Hadith over the abrogated one and he considered those actions of Nabi (sallallahu alaihi wasallam) which were done at the last part of his life. It is also apparent that Imaam ibn Abi Shaibah

did not apply *that* much attention to authentic Ahadith, therefore the Muhadditheen have place his Kitaab in the third category. He also did not pay that much attention to 'Naasikh Mansookh'.
Hence, we can safely conclude that in the 60 odd differences raised by Imaam ibn Abi Shaibah, the view of Imaam Saheb is more correct and preferred.

Besides this, there are approximately a dozen Ahadith, where Imaam ibn Abi Shaibah has presented a 'Khabar Waahid' (Hadith related by a single person), whereas Imaam Saheb has presented Qur`aanic text in support of his view. It is clear that proof from the Qur`aan Shareef is most preferred.

There are approximately 1 ½ dozen Masaa`il where, Imaam ibn Abi Shaibah uses 'Khabar Waahid' whereas Imaam Saheb uses 'Khabar Mash -Hoor' ('Famous' Hadith). It is apparent that 'Khabar Mash-Hoor' holds preference over 'Khabar Waahid'.
There are approximately 1 ½ dozen Masaa`il, where Imaam Ibn Abi Shaibah refutes these Masaa`il, whereas these Masaa`il are not even proven to be directly from Imaam Saheb. These are not even recorded in the Hanafi Fiqh Kitaabs. Here Imaam ibn Abi Shaibah has also erred.

There are approximately ten Masaa`il where there is a difference of opinion regarding the *interpretation* of the Hadith. Imaam ibn Abi Shaibah interprets it in one way and Imaam Saheb in another. It is apparent that there is no consideration given to difference in interpretation of Ahadith, whereas difference of opinion in Fiqh is taken into cognisance.
[Jaami` Bayaanul Ilm, page 131, vol.2 / Zail Jawaahir, page 485, vol.2 / Al-Khairaatul Hisaan, page 61].
Imaam Tirmidhi (rahmatullahi alaih) said: *"He (Imaam Saheb) was a great Aalim in interpreting the Ahadith."* [Tirmidhi, page 118, vol.1].
There is a consensus of opinion amongst the Ummat that Imaam Saheb was a Mujtahid.

Nevertheless, there remains a dispute in six or seven Masaa`il.
The condition of Allaah Ta`ala's acceptance is such that, even after Imaam ibn Abi Shaiba has written his Kitaab, there are still millions of people who follow the Mazhab of Imaam Abu Hanifah (rahmatullahi alaih). There is not a single person, the world over who is a Muqallid of Imaam ibn Abi Shaibah.

Allaamah Abdul Qadir Qurashi, Allaamah Qaasim bin Qutlobugha and Allaamah Kawthari have written detailed refutations regarding this section in Imaam ibn Shaibah's Kitaab.
It is recorded in the Ghair Muqallid periodical, "Al-I`tisaam":
***"Imaam A`zam (rahmatullahi alaih) has indeed, kept the conditions and needs of the civilisation of his era before him, and according to the Qur`aanic method of Mashwera, he formulated Fiqh according to sound Islamic principles. In reality, this is great achievement. It is impossible to refute this greatness and necessity (of his work)."* [8 July 1960, page 5, column 1]**

KHATEEB BAGHDAADI

He was born in 393 A.H. he was first a Hambali, thereafter he became a Shaafi. He was a firm believer in Taqleed, and he vociferously negated any Ghair Muqallid. [Al-Fiqh wal Muttafiqa, page 67/8, vol.2]

He was extremely prejudiced against the Hanafis. He has written many authentic

Ahadith in his Kitaabs, as well as many false ones. The Muhadditheen have accepted the authentic ones and rejected the false ones. In the same way he has written many virtues of Imaam Saheb (rahmatullahi alaih), and similarly he has also recorded many 'faults' of Imaam Saheb.
Now, any intelligent person cannot accept as correct, both these extremes, that one person is a Mujtahid of an extremely high standing, whilst on the other hand (we seek protection from Allaah Ta`ala from such utterances) he is worse than the Christians and idol-worshippers.
Now, let us study these two extremes of Khateeb. Which of these have the Muhadditheen accepted, and which have they rejected. It is a well accepted fact that the virtues of Imaam Saheb (rahmatullahi alaih) are unanimously accepted, by the Hambali, Shaafi and Maaliki Muhadditheen, which is borne out by their verbal lauds. Regarding the 'faults' which have been recorded about Imaam Saheb, *all* Muhadditheen have completely refuted them. Ibn Abdul Barr Maaliki has, during that same era, written about the impeccability of Imaam Saheb (rahmatullahi alaih).
A disciple/student of Khateeb Baghdaadi, Qaadhi Abul Yameen, has written an edited version of Khateeb's Kitaab, wherein he recorded the virtues of Imaam Saheb, and he excluded and refuted the section about Imaam Saheb's 'faults'. Ibn Jozi, Allaamah Khawaarzimi, and many others have written in refutation to the 'faults' written about Imaam Saheb. In short, according to the Muhadditheen of the Ahle Sunnat wal Jamaat, there is no flaw or blemish in the impeccability of Imaam Saheb (rahmatullahi alaih). His Muqallideen (followers) are still many in this world. Khateeb has blemished his own reputation by this article of his. Yes, that section which the Ahle Sunnat wal Jamaat has vociferously refuted, the Shias occasionally take and use to bolster their own nefarious ends.
Haamid Ali, a Shia, has recorded this rejected section (of Khateeb's Kitaab) in his own book, entitled "Al- Istiqsaa-ul-Ifhaam".
Muhammed Joonaagri, a Ghair Muqallid, has also written the same, in his "Taarikh Muhammedi", and he has thereby given strength to the Shias.

The reality is that, the glow of the moon is not dulled by the barking of dogs. nor does the ocean become putrefied by the falling therein of many flies.
It is for this reason that Moulana Dawood Ghaznawi (rahmatullahi alaih) has written that those who castigate Imaam Saheb (rahmatullahi alaih), are either just jealous or they are unaware of his status. [Dawood Ghaznawi, page 378]
Mia Nazeer Saheb Dehlwi has stated that we regard the person who vilifies and badmouths the Aimma-e-Deen, as a lying Raafidhi (Shia). [Taarikh Ahle Hadith, page 80]

The Ghair Muqallideen of present times should take lesson. When people like Nu`aim bin Hammaad, Ibn abi Shaibah and Khateeb could not contaminate the Hanafi Mazhab by their opposition, how on earth can people of present times, who refute Ahadith and join hands with the Shias do any harm by their opposition? They should therefore put aside their petty squabbles and antagonism, and join hands with the Ahle Sunnat wal Jamaat, thereby putting into practise the perfect system of Shariat-e-Islaam.

AMEEN.

QIYAAS

Nowadays, as many Bid`ah that are customary and vogue, all of them could have existed during the Khairul Quroon (Best of eras), but none existed. Therefore, what is the reason for making Qiyaas and Ijtihaad in these matters (in order to make them permissible for our times)? This much is worth considering that if there was a necessity for making Ijtihaad and Qiyaas in these matters, then surely the Mujtahiddeen of the past would have done so. It would not have passed their attention. It is completely incomprehensible that in these matters the Mujtahiddeen did not deem it necessary to make Qiyaas or Ijtihaad in them, and today these things have become permissible. They surely had more Ishq and Muhabbit (love and affection) for Allaah Ta`ala and Nabi (sallallahu alaihi wasallam). They excelled in knowledge and Taqwah. Their fear for Allaah Ta`ala and the Hereafter was near perfect. **How is it that they did not make these things a part of the Deen?** Nowadays, there seems to be a renaissance of the Deen and these things have become part of the Deen and signs of the Ahle Sunnat Wal Jamaat.

After careful thought and consideration on this matter, one will naturally come to this conclusion that, since the reasons and possibilities of these Bid`ah acts existed during the former times, yet they did not make Qiyaas on them, and these acts did not even reach the stage of Bid`ah-e-Hasana. There is absolutely no doubt that these acts have today reached the stage of Bid`ah-e-Qabeeha / Sayyia`. In this regard, Qaadhi Ebrahim Al-Hanafi rahmatullahi alaih) states:

*"If there existed a reason (for instituting an act) during the era of Nabi (sallallahu alaihi wasallam), but due to some temporary excuse it was omitted, and then after his (sallallahu alaihi wasallam)'s demise when this (temporary) excuse was removed, then it would be permissible to initiate such an act. For example, the compilation of the Qur`aan-e-Kareem. This was not possible during the life of Nabi (sallallahu alaihi wasallam) because the Wahi was being revealed continuously. Whatever Allaah Ta`ala desired to change, He would change. After the demise of Nabi (sallallahu alaihi wasallam) this restraint was removed. If there existed any reason for instituting an act during the era of Nabi (sallallahu alaihi wasallam) and it could have been carried out without any restraint, but it was not carried out, then even after the demise of Nabi (sallallahu alaihi wasallam) such acts cannot be instituted. This would be to change the Deen. **If such acts were beneficial, then surely, Nabi (sallallahu alaihi wasallam) would have instituted them or at least encouraged towards them.** But since, Nabi (sallallahu alaihi wasallam) did not carry out these acts himself, nor did he encourage towards them, therefore it stands to reason that such acts are devoid of any benefits. In fact it would be classified as Bid`ah-e-Sayyi`a."* **[Nafaa`isul Azhaar, Tarjuma Majaalisul Abraar, page 127]**

This text is very clear and definite proof that if during the era of Nabi (sallallahu alaihi wasallam) there existed no impediment to carrying out an act, and Nabi (sallallahu alaihi wasallam) himself did not execute the act nor did he encourage towards it, it will be classified as a Bid`ah-e-Sayyia`. Even though externally these acts appear as being

virtuous acts of Ibaadat. In this connection, Hadhrat Abdullah Ibn Mas`ood (radhiallahu anhu) states:

"Follow in our footsteps, and do not innovate (new things). Indeed, you have been sufficed." [Al-I`tisaam, page 54, vol.1]

Hadhrat Huzaifah (radhiallahu anhu) states:

"Do not make any Ibaadat that the Sahaabah of Rasulullah (sallallahu alaihi wasallam) did not do!" [Al-I`tisaam, page 113, vol.1]

Haafiz Ibn Katheer (rahmatullahi alaih) stated:

"The Ahle Sunnat Wal Jamaat states that it is a Bid`ah to carry out whatever act and statement is not established from Rasulullah (sallallahu alaihi wasallam) by the Sahaabah (radhiallahu anhum). Because if that act was a good one, then the Sahaabah would most definitely have carried it out first. Indeed if an act was a good one, then they would have surpassed us in it. They never left out any virtuous act from the virtuous acts, except that they would excel us in it." [Tafseer Ibn Katheer, page 156, vol.4]

In conclusion, the Qiyaas and Ijtihaad of a Mujtahid is True and Haqq. But, this applies only to those acts whose reasons and possibilities became prevalent after the era of Nabi (sallallahu alaihi wasallam). Qiyaas and Ijtihaad is definitely not permissible and valid for any act whose reasons, possibilities and need existed during the era of Nabi (sallallahu alaihi wasallam) and the Sahaabah. **Nowadays, almost all the Bid`ahs that are prevalent are acts whose reasons and possibilities existed during the era of Nabi (sallallahu alaihi wasallam).** In such acts there is only success and benefit in following the footsteps of these illustrious personalities. By opposing them and acting contrary to their actions brings only the Anger of Allaah Ta`ala. Nabi (sallallahu alaihi wasallam) will also definitely not be pleased. The Ishq and Muhabbit of the Sahaabah and Taabieen was limited to only this. Contrary to this way is deviation and Bid`ah. Destruction in the Hereafter and annihilation is in this (contradiction).

THE LEXICOGRAPHIC AND SHAR`I DEFINITION OF BID`AH. THE DIFFERENT TYPES AND ITS EXPLANATION

After Shirk (polytheism), Nabi (sallallahu alaihi wasallam) did not condemn any other thing more than he did of Bid`ah and the Ahle Bid`ah. This is the reality that Bid`ah, changes the pattern and principles of Deen. Thereafter there remains no differentiation between original and fake, Haqq and baatil. The Qur`aan-e-Hakeem spells out clearly that in principle there are two ways in which the Deen is destroyed; (1). Suppressing the Haqq and (2). Mixing of Haqq and baatil. It is in this mixing and entangling of the Haqq and baatil that people replace the Deen of Allaah Ta`ala with their own whims and desires. Every person makes a part of the Deen whatever his desires dictates to him, and he

excludes from the Deen whatever he wishes. It will no longer remain the Deen of Allaah Ta`ala, rather it will become a child's play (Nauthubillah!).

This point must also be kept in mind that the decision of whether any act is deserving of Thawaab (reward) or worthy of Athaab (punishment), is exclusively that of Allaah Ta`ala. The duty of reaching this information to the people and the masses was that of Nabi (sallallahu alaihi wasallam). For a person to make a thing worthy of Thawaab or Athaab, according to his wishes, is like as though he is doing the work of Divinity (Nauthubillah!). Allaah Ta`ala had made Nabi (sallallahu alaihi wasallam) an excellent and perfect example for us to follow. He had also given us the Command to follow him.

He did not leave us to follow our own whims and fancies. In this regard Allaah Ta`ala says:

"Indeed for you in Rasulullah is an excellent example, for that person who desires Allaah and the Hereafter and who remembers Allaah abundantly." [Surah Ahzaab, Para 21, Ruku 2)

In this Aayat, Allaah Ta`ala had made the perfect human, Nabi (sallallahu alaihi wasallam), the perfect example for us to follow. He has advised us that peace and success in every sphere of our lives lies in following him and by following in his footsteps, we will save ourselves from all types of worries and griefs.

In another Aayat, Allaah Ta`ala says:

"Say (O Nabi - sallallahu alaihi wasallam)! If you love Allaah, then follow me, (then) Allaah will love you and He will forgive you your sins." [Surah Aale Imraan, Para 3, Ruku 4]

This Aayat is clear proof that if any person or group today, claims to love their Creator, then it is imperative that they follow in the footsteps of Nabi (sallallahu alaihi wasallam).

Sunnat is the name of this following of Nabi's (sallallahu alaihi wasallam) excellent example, guidance and history. Bid`ah is the opposite of this.

Hadhrat Jaabir Bin Abdillah (radhiallahu anhuma) says that Nabi (sallallahu alaihi wasallam) mentioned in a loud voice at a Jumuah gathering, in the presence of thousands of people:

"Amma Ba`ad! Indeed the best of Speech is the Kitaab of Allaah! And the best of Hadya (Example and Guide) is the Hadya of Muhammedur Rasulullah. The worst of things is innovations and every Bid`ah is deviation." [Muslim, page 285, vol.1 / Mishkaat, page 27, vol.1]

In this Hadith, Nabi (sallallahu alaihi wasallam) mentioned his Guidance and Seerat (teachings) in opposition to Bid`ah, and he made this very clear that whatever is

innovated that is contrary to his Seerat, is Bid`ah and that every Bid`ah is deviation. Here also we learn that every innovation is not necessarily evil, otherwise the worldly inventions would also fall in this category. In fact only those innovations are evil that are contrary to the teachings of the Kitaabullaah and Nabi (sallallahu alaihi wasallam). Therefore those things that are not contrary to the teachings of the Qur`aan and Sunnah are not necessarily evil innovations and deviation. Allaah Ta`ala is not pleased with deviation, it for this reason that he sent so many prophets and Kitaabs and Scriptures in order to combat deviation. In this narration stated in Nisai, the following words also appear:

"And all deviation is in The Fire." [Nisai, page 179, vol.1]

It is for this reason that Rasulullah (sallallahu alaihi wasallam) said that the Ahle Bid`ah are deserving of the curse of the entire universe. He prevented from making their praises and honouring them. He used to say that all their Ibaadat is useless, until such a time that they refrain from their Bid`ah. He also used to say that the Ahle Bid`ah are deprived from making Tawbah. May Allaah Ta`ala save us from this and from all other types of sin.

Hadhrat Ali (radhiallahu anhu) reports that Nabi (sallallahu alaihi wasallam) said:

"Madinah is Haram (sanctified) from (the place) 'Ayr' to (the place) 'Thaur'. Hence whoever innovates anything (in the Deen) in between these places, or grants refuge to an innovator (Bid`ati), then upon him is the curse of Allaah, His Angels and the entire mankind. No 'Sarf 'or 'Adl' (Fardh or Nafl Ibaadat) will be accepted from him."
[Mishkaat, page 238, vol.1 / Bukhari, page 1084, vol. 2 / Muslim, page 144, vol.1]

In this Hadith the limits of the Haram for Madinah are only mentioned as a form of warning and reprimand, it is NOT as a reservation or limited, in that Bid`ah is only evil and bad in Madinah and not outside! That thing which is evil and a Bid`ah will be so in all places and times. Yes, the evil and sin of a Bid`ah will be intensified owing to the honour of a place or sanctity of the time. What can be a more strong statement and warning for the dishonour and disgrace of the Bid`ati than the words which emanated from the blessed lips of Nabi (sallallahu alaihi wasallam)? These narrations are sufficient to show the abomination and evil of Bid`ah. We will mention a few more narrations merely as further testification and for perusal:

"Hadhrat Abdullah Bin Abbaas (radhiallahu anhu) reports from Nabi (sallallahu alaihi wasallam): 'Allaah has refused to accept the deeds of a Bid`ati, until he refrains from his Bid`ah.'" [Ibn Majah, page 6]

Hadhrat Ali (radhiallahu anhu) reports:

"Whoever innovates anything in it (Madinah Shareef) or he grants refuge to a Bid`ati, upon him is the curse of Allaah, His angels and all of mankind. Neither will 'Sarf' or 'Adl' (Nafl or Fardh acts) be accepted from him." [Bukhari, page 251, vol.1]

Bid`ah, wherever it occurs is still a Bid`ah. However, if it is perpetrated in Madinah, which is a sanctified place, then the gravity of the act is much worse and the sin will be greater.

Hadhrat Ebrahim Bin Maisara (rahmatullahi alaih) reports that Rasulullah (sallallahu alaihi wasallam) said:

"Whoever grants respect and honour to a Bid`ati, indeed he has aided in the destruction of Islaam." [Mishkaat, page 31, vol. 1]

It is for this reason that the Sahaabah had a great deal of dislike for Bid`ah. Once someone brought the salaams of another person to Hadhrat Abdullah Bin Umar (radhiallahu anhu), who commented:

"It has reached me that this person (who sent the salaams) has innovated something in the Deen. If indeed (this is true and) he has innovated (something in the Deen), then do not convey my salaams to him." [Tirmidhi, page 38, vol.2 / Daarmi, page 59 / Abu Dawood, page 278, vol.2 / Ibn Majah, page 304 / Mishkaat, page 23, vol.1]

Hadhrat Ibn Mas`ood (radhiallahu anhu) states:

"To be moderate in a Sunnat is better than to strive in a Bid`ah." [Mustadrak, page 103, vol. 1]

Hadhrat Anas Bin Maalik (radhiallahu anhu) reports that Rasulullah (sallallahu alaihi wasallam) said:

***"Indeed Allaah has closed all the doors of Tawbah for the Bid`ati."*** [Majma`us Zawaahid, page 189, vol.1]

From these narrations we note that Bid`ah is such an evil and detestable thing that any sensible person would to whatever he can in his ability to combat it. An effect of it is that it prevents one from seeking repentance from Allaah Ta`ala. From a logical point of view this also makes sense that if a person carries out a Bid`ah act and he deems it worthy of Thawaab, then why will he make Tawbah for it? Tawbah is made for sins and evil and not for 'good' acts. Nobody performs Salaat and keeps fast and thereafter says: *"O Allaah! Forgive my Salaat and fast."*

A Bid`ati has closed the doors of Tawbah upon himself by his thinking that his act is worthy of reward.

Hadhrat Aisha (radhiallahu anha) reports that Rasulullah (sallallahu alaihi wasallam) said:

"Whoever innovates in this matter of ours (the Deen), that which is not in it, indeed it is rejected." [Bukhari, page 371, vol.1 / Muslim, page 77, vol.2 / Abu Dawood, page 279, vol.2 / Ibn Majah, page 3]

It is important that we clarify and explain the words ***"in this matter of ours"***, so that there is no misunderstanding. Haafiz Ibn Rajab Hambali (rahmatullahi alaih) states:
"All those things that a person innovates into the Deen, which Allaah and His Rasool has not given permission to, does not have any part of the Deen." [Jaamiul Uloom Wal Hakam, page 42]

He intended saying that not all innovations are rejected, only those that have something to do with the Deen. He also states that in some narrations the word 'Deen' appears in the place of "in this matter of ours":

*"And in the words of some of the narrations, it appears: **'He who innovates in this Deen of ours, which is not from it, indeed it is rejected'**".* [page 42]

If in some narrations made by the blessed tongue of Nabi (sallallahu alaihi wasallam) the words ***"this Deen of ours"*** comes in place of ***"In this matter of ours"***, what further clarification is needed?

Haafiz Ibn Hajar (rahmatullahi alaih) mentions regarding ***"In this matter of ours"***:

"It means: The matter of Deen" [Fathul Baari, page 321, vol.5]

That is, whoever innovates any new thing in this Deen of ours, it is rejected.

Allaamah Taftaazaani (rahmatullahi alaih) writes:

"Indeed this (sentence) means whoever makes in the Deen whatever is not part of it......" [Sharhul Maqaasid, page 271, vol.2]

Allaamah Azeezi (rahmatullahi alaih) states:

"Whoever innovates in this matter of ours, that is, in the Deen of Islaam." [As-Siraajul Muneer, page 320, vol.3]

From all these citations, this much is very clear that not all innovations are evil and rejected. Only those innovations which are deemed as part of the Deen or are left out of the Deen. This is not only restricted to the commentaries of the commentators of Hadith, but according to Ibn Rajab, it is actually the words that appears in some narrations. These narrations are proof that whatever innovations in the Deen the people have initiated, all of them are rejected and evil.

Hence, Moulana Kharram Ali Saheb Hanafi, translator of 'Mushaariqil Anwaar' writes:

"As many Bid`ahs the people have innovated that are contrary to the Shariah, according to this Hadith, are all rejected. There is no need to elaborate on the issue. For example, to build around the graves, to put a dome there, to illuminate it, to make Ta`ziyah, to celebrate the occasions of the pious people, to make minnats by using the name so of the Auliyaa, to place flags as signs, etc. - all such actions are completely contrary to the Shariah. There is no basis for them in the Qur`aan, Sunnah, Ijma` or Qiyaas." [Page. 10]

THE AKAABIREEN ULAMA OF DEOBAND

From this Hadith (quoted above), even the Ulama of the Deoband have understood the words ***"in this matter of ours"***, to mean 'The Deen'. Hadhrat Moulana Khaleel Ahmed Sahaaranpuri (rahmatullahi alaih) writes: *"The words 'Fi Amrina Haza' refers to the Deen."* [Bazlool Majhood, page 195]

Hadhrat Sheikhul Islam Moulana Shabbir Ahmed Uthmaani (rahmatullahi alaih) writes:

"The meaning of 'Amrid deen' is as the Ulama have stated and explained." [Fathul Mulhim, page 407, vol.2]

THE BELIEF OF THE ULAMA OF THE BARELWI

The Tafseer of this Hadith has also been interpreted as "Amr-e-Deen", by the Barelwi Ulama. A famous Barelwi Aalim, Molvi Mohammed Saalih Saheb writes: *"The meaning of the word 'Amr' (in the Hadith) is Amr-e-Deen. The object is this that the matters of Deen, be they Ibadaat or Muaamalaat (dealings), which the Shariah has specified and clarified, to add to or subtract from them is a rejected act."* [Tuhfatul Ahbaab fi Tahqeeq Ithaal-e-Thawaab, page 117]

Molvi Abdus Samee' Saheb Raam Puri writes: *"This Hadith is from the Saheehain. That is, whoever has taken into the Deen, such things which are not a part of the Deen, i.e. it is contrary to Qur`aan and Sunnah -- such things are rejected."* [Anwaar-e-Saati`a, page 33]

The leader of the opposite party, (their) Mujaddid-e-Millat A`la Hadhrat Molvi Ahmed Raza Khan Saheb Barelwi writes, in trying to legalise (make Halaal) tobacco : *"Remains (this contention) that it is a Bid`ah. This is not a harmful thing that there is Bid`ah in food and drink. This is not part of the Deen. Therefore to classify it as Haraam will be a difficult task."* [Ahkaam-e-Shariah, vol.3, page 168]

Now you have heard it from the leader of the opposition, that Bid`ah are those rejected actions which are done whilst understanding them to be a part of the Deen. Those things which are not a part of (or connected to) the Deen, to classify them as Haraam will be a difficult task.

THE DEFINITION OF BID`AH ACCORDING TO THE ULAMA OF LEXICOGRAPHY

The respected readers have reached this conclusion that whatever is not authenticated from the Qur`aan, Hadith, Ijma or Shar`i Qiyaas, or the action is contrary to the example set by Nabi-e-Kareem (sallallahu alaihi wasallam)'s lifestyle and exemplar, and such actions are introduced into the Deen, then such actions are certainly classified as Bid`ah.

Now you should take cognisance of the definition of Bid`ah as made by the Ulama of lexicography:

The famous Imaam of lexicography, Abul Fatah Naasir Ibn Abdus Sayed Mutraazi Al-Hanafi (rahmatullahi alaih) writes:

"Al-Bid`ah is a noun which is derived from the word 'Ibtidaa`-ul -Amr', when an act is innovated or initiated. Just like the word 'Ar-Raf`at' which is derived from the word 'Irtifaa`', and also the word 'Khalfat' which is derived from the word 'Ikhtilaaf'. But now (the word 'Bid`ah') has been taken to mean anything which adds or subtracts from the matters of Deen." [Maghrib, vol.1, page 30]

Allaamah Fairuz Abaadi (rahmatullahi alaih) writes:

"Bid`ah, with a kasrah on the baa, (means) innovation in Deen after it has been perfected. Or it refers to those actions or desires which were innovated (into the Deen) after the demise of Nabi (sallallahu alaihi wasallam)." [Qaamoos, page 4, vol.2]

Imaam Raaghib Asfahaani (rahmatullahi alaih) writes:

*"Bid`ah in the Math-hab is a word used for those actions and speech which are not in conformity with the Shariah, its example and principles."* [Mufradaatul Qur`aan, page 37]

Imaam Muhammad Bin Abi Bakr Bin Abdil Qaadir Raazi, writes:

"Al-Bid`ah - innovation in the Deen after its perfection." [Mukhtaarus Sihaah, page 280]

Allaamah Abul Fadhl Muhammad Bin Umar Jamaal Al-Qurashi (rahmatullahi alaih) writes:

"Bid`ah are those new and innovated actions and customs which are introduced into the Deen after its perfection." [Siraah, vol.2, page 301]

The famous Urdu dictionary, 'Fairoozul Looghaat', states:
"1: Bid`ah: To innovate a new action or custom into the Deen. A new way, mode or culture. 2: Hardness, oppression. 3. To fight, cause corruption, evil." [page 194]

"Al-Bid`ah: To innovate a thing without an example. A new custom in the Deen. Such beliefs or actions whose source is not found in the first three eras, which were classified as being the best." [Misbaahul Lughaat, page 27]

Imaam Nawawi (rahmatullahi alaih) states the literal definition of Bid`ah as follows:

"Any such action which is innovated without having a former base."

THE SHAR`I MEANING OF BID`AH

Haafiz Badruddeen Aini Hanafi (rahmatullahi alaih) states:
"Al-Bid`ah are actually innovations of actions which were not prevalent during the time of Rasulullah (sallallahu alaihi wasallam)." [Umdatul Qaari, page 356, vol. 5]

Haafiz Ibn Hajar (rahmatullahi alaih) states:

"Bid`ah actually refers to those actions which are innovated without them having a previous example. According to the Shariah it is referred to as the opposite of the Sunnah, which is rejected." [Fathul Baari, page 219, vol. 4]

Allaamah Murtadha Zubaidi Hanafi (rahmatullahi alaih) states:

"(The meaning of the Hadith) 'All innovations are Bid`ah' refers to all those things which are contrary to the principals of the Shariah and are not in conformity with the Sunnah." [Taajul Uroos, vol. 5, page 271]

Haafiz Ibn Rajab (rahmatullahi alaih) states:

"The object of (the word) Bid`ah is all those things which are innovated and they have no source in the Shariah which can prove them. However those things (innovations) which have some source in the Shariah, which can prove them, they are not regarded as 'Bid`ah' although they will be termed as 'Bid`ah' according to the literal definition." [Jaamiul Uloom wal Hikam, page 193]

Allaamah Mu`een Bin Safi (rahmatullahi alaih) has described Bid`ah in the very same words in *"Sharah Arbaeen Nawawi"*. Haafiz Ibn Katheer states:

"The meaning of 'Badee-us-Samaawaati' is that Allaah Ta`ala ad created the heavens and the earth with His Perfect Power without there being any previous example or model. In the dictionary, every new thing is called a Bid`ah and Bid`ah is divided into two types: (1) Bid`ah-e-Shar`i, regarding which Nabi (sallallahu alaihi wasallam) said:* ***'Every new thing is a Bid`ah and every innovation (Bid`ah) is deviation.'*** *(2) Sometimes Bid`ah is literal, just like when Hadhrat Umar (radhiallahu anhu) gathered the people for Taraaweeh Salaat, he said: ***'This is a good Bid`ah.'****"*

He writes further:

"And similarly, ever word and action which was not done before, is classified as a Bid`ah by the Arabs." [Tafseer, page 161]

Allaamah Abu Is`haaq Gharnaati (rahmatullahi alaihi) defines *Bid`ah-e-Shar`i* as follows:

*"This is such a method which is introduced into the Deen which is similar to the Shariah and whose following introduces excesses into the Ibaadat of Allaah Ta`ala."* [Al-I`tisaam, page 30], vol.1]

Molvi Abdus Samee` Saheb, reports that the Fuqahaa (rahmatullahi alaihim) have extracted the following meaning for *Bid`ah-e-Sayyia*, which he quotes for Allaamah Shaami (rahmatullahi alaihi) and other Muhaqqiqeen:

"(Bid`ah is such a thing) Which is invented contrary to the Haqq that Nabi (sallallahu alaihi wasallam) had taught. Or it is such an action or condition which (whilst resembling the Shariah) appears to be a god action and it is included into the Deen and made part of the Siraatul Mustaqeem." [Anwaarus Saati`a, page 46]

This exact same text is quoted for the definition of *Bid`ah-e-Sayyia and Bid`ah-e-Shariah* in reputable Hanafi Fiqh Kitaabs such as *Bahrur Raa`iq, Durrul Mukhtaar*, etc.

Moulana Sakhaawat Ali Saheb Al-Hanafi Jonpuri (rahmatullahi alaihi) writes:

"Bid`ah comprises all such actions, whether they be regarding Aqeedah of the Deen or harm or benefit for the Hereafter, which were not authenticated or practiced by Nabi (sallallahu alaihi wasallam) or the Sahaabah-e-Kiraam (radhiallahu anhum)." [Risaalat Taqwa, page 9]

The famous Muhaqqiq Aalim Molvi Muhammad Saalih Saheb, from the opposition camp writes:

"The Shar`i definition of Bid`ah refers to those things which are regarded as being part of the Deen but have no Shar`i proof to back them up. Neither from the Qur`aan Majeed nor the Ahaadith, nor the Ijma` of the Mujtahiddeen nor from Qiyaas." [Tuhfatul Ahbaab, page 98]

THE AKAABIREEN OF THE ULAMA-E-DEOBAND

The Akaabireen of the Ulama of Deoband totally follow and rely on the research of the Salf-e-Saaliheen with regard to *Ittibaa-e-Sunnat*. As with other Masaa`il, they follow the definition of Bid`ah of the Salf. In this regard, Moulana Kareem Bakhsh Saheb, writes:

"According to the definition of the Shariah, Bid`ah are all such actions of the Deen which the majority of the Ahle Haqq of the first three eras have not accepted. Or it was

regarded as being contrary to the Deen during these pure eras. Or it is such acts which were initiated after these eras and they are such acts which are not necessary yet are regarded as being necessary, alternatively they are necessary acts which are not regarded as being necessary." [Haqeeqatul Imaan, page 38]

Hadhrat Moulana Shabbir Ahmad Saheb (rahmatullahi alaihi) writes:

"Bid`ah is a term referred to all such acts which are not found in the Qur`aan Majeed, Sunnat or those eras which have been testified to as being the best. It is those acts which are regarded as being part of Deen and (thought to be) liable for reward." [Hamaail Shareef, page 702]

Hadhrat Allaamah Mufti Kifaayatullaah Saheb (rahmatullahi alaihi) states:

"Bid`ah are all those acts which are not established from the origins of the Shariah. That is, they are not found in the Qur`aan Majeed, the Sunnat and they were not practiced by Nabi (sallallahu alaihi wasallam), the Sahaabah-e-Kiraam (radhiallahu anhum) or the Taabieen (rahmatullahi alaihim). And they are such acts which are practiced or omitted regarding them to be a part of the Shariah." [Taleemul Islaam, part 4, page 27]

Beloved readers! You have ascertained from all the above discussion the string viewpoints and concrete views of not only the Ulama of Deoband, but also those of Barelwis and other Ulama who are accepted and respected by both these groups, that Bid`ah are all those actions, beliefs or conditions which are contrary to the Qur`aan Majeed, Sunnat or Qiyaas-e-Shar`i. You have also read the text from Allaamah Ibn Katheer (rahmatullahi alaihi) that ***"All those words and actions which are not established from the Sahaabah are Bid`ah."***

Keeping all the above in mind, now reflect upon the following words of Mufti Ahmad Yaar Khaan:

*"To stipulate the condition of it being of a Deeni nature is only from their side. This (view) is contrary to the authentic Ahaadith, statements of the Ulama and Fuqahaa and the Muhadditheen. It is stated in the Hadith: '**All innovations are Bid`ah**'. There is no conditions stated here of it (innovations) being of a Deeni or fundamental nature. Also, we have quoted the texts of Ash`atul Lam`aat and Mirqaat. There is no condition placed of it being of a Deeni nature."* [Jaa`al Haqq Wa Zahaqal Baatil, page 212]

He states further:

*"From these two texts (Ash`atul Lam`aat and Mirqaat) we neither see the condition of it being of a Deeni nature nor does it refer to the era of the Sahaabah. Whatever the act may be, whether it is of a Deeni or fundamental nature, whether it was initiated after Nabi (sallallahu alaihi wasallam), either during the era of the Sahaabah or after them, is termed a Bid`ah."* [Jaa`al Haqq, page 206]

This claim of Mufti Saheb is based on pure ignorance, because firstly, we have cited the complete texts which define that the Shar`i Bid`ah which is accursed and rejected does have the stipulation and condition of it being of a Deeni nature. In fact, one narration even has the words, ***"Fi Deenina***" (in our Deen).

Secondly, even if we assume that the texts of *Ash`atul Lam`aat and Mirqaat* do not stipulate the condition of it being of a Deeni nature and it does not mention the era of the Sahaabah-e-Kiraam (radhiallahu anhum), this does not exclude the fact that it is mentioned in any other text. Let us show Mufti Saheb the condition of it being of a Deeni nature in *Ash`atul Lam`aat and Mirqaat.* The narration of Hadhrat Ibn Umar (radhiallahu anhuma) where he did not reply to the Salaam of a Bid`ati was cited previously. In commentary of the words ***"Balaghani Qad Ahdatha"*** in this narration, Allaamah Mullah Ali Qaari (rahmatullahi alaihi) states:

"That is, he has innovated and started a new thing in the Deen, which is not of it."
[Mirqaat, page 23, vol.1]

Sheikh Abdul Haqq Muhaddith Dehlwi (rahmatullahi alaihi) states on page 102, vol. 1 of *Ash`atul Lam`aat* that the innovations are of a Deeni nature.

There we see the condition of the innovations being of a Deeni nature coming from the texts of *Ash`atul Lam`aat and Mirqaat.* Now we need to ask Mufti Saheb, as to who stipulated the condition of it being of a Deeni from their side and who is contradicting the authentic Ahaadith and the statements of the Ulama, Fuqahaa and Muhadditheen?

Similarly, he should refer to the commentary of these two personalities of the narrations of ***"(binding) Upon you is my Sunnat and the Sunnat of the Khulafaa-e-Raashideen"*** and ***"That upon which I am and my Companions"***. Judging from their commentaries is the actions of the Sahaabah-e-Kiraam (radhiallahu anhum) Sunnat or Bid`ah? The text of *Ash`atul Lam`aat* has been previously mentioned that the Ijtihaad and Qiyaas of the Khulafaa-e-Raashideen are also regarded as part of the Sunnat. Mufti Ahmad Yaar Khaan is now clandestinely implying that the actions of the Sahaabah-e-Kiraam (radhiallahu anhum) were also Bid`ah.

It is strange and perplexing that our Nabi (sallallahu alaihi wasallam) mentioned the actions of the Khulafaa-e-Raashideen as being Sunnat and he has made the Sahaabah-e-Kiraam (radhiallahu anhum) a model of emulation and he has advised the Ummat to follow in their footsteps, and yet Mufti Ahmad Yaar Khaan states: " *either during the era of the Sahaabah or after them, is termed a Bid`ah."*

Thirdly, the statement of Mufti Ahmad Yaar Khaan that: *"To stipulate the condition of it being of a Deeni nature is only from their side. This (view) is contrary to the authentic Ahaadith, statements of the Ulama and Fuqahaa and the Muhadditheen"* is a great slander and a blatant lie! It will not be found in the statements of any reputable Imaam, Faqeeh, Muhaddith or Aalim wherein the definition of an evil Bid`ah or a Bid`ah-e-Shar`i precludes the condition of it being of a Deeni nature.

The text from Imaam Maalik's *Al-I`tisaam* has been quoted where he states the condition: *"Innovation in Islaam"*. The texts of other Ulama, Fuqahaa and Muhadditheen also quoted, bear similar import. The same applies for the definitions of Bid`ah which have been quoted from the dictionaries. It has also been explained that the meaning of Nabi (sallallahu alaihi wasallam) words: ***"All innovations are Bid`ah"***, clearly indicate and imply Bid`ah-e-Shar`i in the explanation of Nabi (sallallahu alaihi wasallam) who referred to it regarding the Kitaab and Sunnat. It has also been stated whilst quoting the texts of Allaamah Ibn Katheer and Zubaidi (rahmatullahi alaihima) that it refers to Shar`i Bid`ah and not Bid`ah in the literal sense. It is now unnecessary that we quote anything further, nevertheless, for the benefit of Mufti Saheb, we will mention a few others:

Hadhrat Ibn Abbaas (radhiallahu anhu) states in commenting on the Aayat: ***"Fa Laa Taq`udu Ma`ahum…"***:

"Included under this Aayat are all those innovations in the Deen and every Bid`ah until the Day of Qiyaamah." [Khaazin, page 509, vol.1]

Mufti Saheb must now muster the courage to ask this master of Tafseer and high-ranking Sahaabi: "*Why have you added this condition of 'In the Deen' from your side? Bid`ah refers to every new thing, be it Deeni or worldly."*

Hadhrat Hassaan Taabiee (rahmatullahi alaihi) states:

"No nation innovates a Bid`ah in their Deen, except that Allaah Ta`ala deprives them (removes from them) one Sunnat equal to it, whereto they will never return until the Day of Qiyaamah." [Daarmi page 26, Mishkaat, page 31]

Hadhrat Hassaan (rahmatullahi alaihi) also adds the condition of *"In their Deen"*. He compares Sunnat to Bid`ah implying that if Sunnat is a Deeni work, then Bid`ah is also a term attributed to a Deeni work. In fact, Hadhrat Ghadeef Bin Haarith reports from Nabi (sallallahu alaihi wasallam):

"He says that Nabi (sallallahu alaihi wasallam) said: 'No nation innovates a Bid`ah, except that a Sunnat equal to it is removed from them. To hold on fast to a Sunnat is better than innovating a Bid`ah." [Masnad Ahmad, page 105, vol.4, Mishkaat, page 31]

Our Nabi (sallallahu alaihi wasallam) has also compared Sunnat to Bid`ah. If a Sunnat is a Deeni work, then Bid`ah is also a Deeni work. If Bid`ah refers to a worldly matter, as Mufti Saheb deviously avers, then this comparison would not be valid. Hence, why would a Sunnat be lifted away with the innovation of a Bid`ah?

Allaamah Sa`adud Deen Taftaazaani (rahmatullahi alaihi) states:

"Indeed an accursed Bid`ah is that innovation in the Deen which was not prevalent in the era of the Sahaabah or Taabieen and it has no Shar`i proof to substantiate it." [Sharhul Maqaasid, page 271, vol.2]

Allaamah Abdul Azeez Farhaarwi (rahmatullahi alaihi), in refuting Bid`ah, states:

"It (Bid`ah) are all those things which have been innovated into the Deen after the era of the Sahaabah, without having Shar`i basis." [Bazaas, page 21]

This much becomes evidently clear that the Bid`ah which is rebuked is -- not according to Mufti Ahmad Yaar Khaan every new Deeni or worldly thing -- in fact, it is every innovation in the Deen. This is the Bid`ah which is Haraam. As for those Bid`ahs of things which are of a worldly nature, to establish them as being Haraam would be, in the words of Mufti Khaan Saheb Barelwi, a difficult issue.

As you note, since the time of Hadhrat Abdullah Ibn Abbaas (radhiallahu anhu) right upto Molvi Ahmad Raza Khaan Saheb Barelwi, everyone defined a Bid`ah to be an innovation in the Deen. But Mufti Ahmad Yaar Khaan Saheb avers that that condition of it being of a Deeni nature is incorrect. *Subhaanallaah!*

The crux is that an accursed Bid`ah is only those things which are deemed liable for Thawaab and regarded as part of the Deen. There is consensus amongst the Sahaabah-e-Kiraam (radhiallahu anhum), the Taabieen and Salf-Saaliheen (rahmatullahi alaihim) on the censuring of this. In this regard, Allaamah Shaatbi (rahmatullahi alaihi) states:

*"The Sahaabah-e-Kiraam (radhiallahu anhum), Taabieen, Tabe-Taabieen and other Salf-e-Saaliheen (rahmatullahi alaihim) unanimously rebuke and censure this type of Bid`ah."* [Al-I`tisaam, page 181, vol.1]

The condition of it being of a Deeni nature is present. Worldly matters are definitely not included in such Bid`ahs. In fact, this much may even be said that this (worldly matters) cannot even be classified as being Makrooh, leave alone Haraam. If you do not accept our statement, then take note of what Sheikhul Islaam, Ibn Daqeequl Eid (rahmatullahi alaihi) states:

"If we consider those innovations which are of a worldly nature, then they are not equal or comparable to those innovations which are of a Deeni nature. It is as though those innovations which are related to worldly matters are not Makrooh, in fact, it can safely be claimed that many of them are not in the least bit Makrooh. When we consider those innovations which are related to corollary Deeni matters, they are not equal or comparable to those innovations which are related to principles of belief (Aqaa`id)." [Ahkaamul Ahkaam, page 51, vol.1]

Understand this text well and you will note that there are Bid`ahs in beliefs and in actions. There are Bid`ahs in worldly matters and Deeni matters. However, the innovations in worldly matters are neither Haraam nor accursed. In fact, they cannot even

be classified as Makrooh. Those who include worldly matters under the definition of Bid`ah are plain ignorant. We do not say this. Consider this statement of the author of *Anwaar-e-Saati`a*:

"From amongst the ignoramuses are those who include everything which was not prevalent during the era of the Sahaabah as being an accursed Bid`ah, even though there is no proof for its being a detestable act. They (the ignoramuses) back their claim with the words of Nabi (sallallahu alaihi wasallam): 'Save yourselves from new innovations'. These ignorant ones do not understand that this Hadith refers to the inclusion of innovations in the Deen of those things which are not a part of it." [Page 34]

Refer to all the above citations, and then reflect at the intellectual research of Mufti Ahmad Yaar Khaan. He states:

"Nowadays, many things that are in existence and have been invented were unheard of during the best of eras, and without which life would be difficult. Every person is constrained to use them. Trains, motorcars, aeroplanes, ships, horse and trailer, etc., etc. And then we have letters, envelopes, telephones, radio, loudspeakers, etc. All these things and their usage are Bid`ah. Yet, persons from every sector of the community make use of them. Tell us, will the Deobandis and Wahhabis manage to pass through life without these Bid`ah-e-Hasanas? Definitely not!" [Jaa`al Haqq, page 211]

The definitions of Bid`ah-e-Hasana and Bid`ah-e-Sayyia will follow later on. But, after reflection of the above quotation, Mufti Saheb must hide his face in his collar and take proper stock of himself and confess as to whose claim it is that every new invention is a Bid`ah. Is it his claim or that of the Deobandis and Wahhabis?

Beloved readers! Consider well what meaning Mufti Ahmad Yaar Khaan extracts from the Hadith ***"Whoever innovates into this matter (Deen) of ours which is not of it, is rejected."*** He states:

"That person who innovates into this Deen of ours any belief which is contrary to the Deen is rejected. We have taken the meaning of (the Arabic word) ***"Ma"*** *to be Aqaa`id (beliefs) because Deen is another word for Aqaa`id. Actions are corollaries."* [Jaa`al Haqq, page 204/5]

Mufti Saheb must be asked as to why he had on his own side and contrary to the authentic Ahaadith and the statements of the Ulama, Fuqahaa and Muhadditheen included the condition of Deen? Since, according to his own words, this condition of Deen was not made in *Ash`atul Lam`aat and Mirqaat*. Explain to us, also your statement that "*Deen is another word for Aqaa`id. Actions are corollaries*". Without doubt, Salaat, fasting, Hajj, Zakaat, Jihaad, etc. are corollaries as far as Aqaa`id is concerned. But each one on their place also forms an integral part of Islaam and are amongst the principles of the Deen. In the Qur`aan Majeed and the Ahaadith, the word Deen is clearly applied to matters such as Salaat, Jihaad, etc. Many other examples can also be cited in substantiation of our point,

but we will suffice on this. The crux of the matter is that whether it be regarding Aqaa`id or actions, Bid`ah can be found in all of them.

THE FABRICATION OF MUFTI AHMAD YAAR KHAAN

Mufti Saheb has restricted the word ***"Ma"*** to Aqaa`id only. He says in this regard: *"It has been established that Bid`ah refers to Aqeedah"* [Jaa`al Haqq, page 205]. He states further on: *"The severe warnings that appears in the Ahaadith for Bid`ah and the Bid`atees refers only to Bid`ah-e-Aqeedah. It appears in a Hadith that the person who honours the Bid`ati has assisted in the destruction of Deen. It appears in the Fatwa regarding the perpetrator of a Bid`ah-e-I`tiqaadia in Fataawa Rasheedia, vol. 1, Kitaabul Bid`aat, page 90, that the Bid`ah wherein severe warning has been given against is with regard to those Bid`ahs in Aqaa`id. Like that of the Bid`ah of the Rawaafidh and Khawaarij."* [Jaa`al Haqq, page 205]

Without doubt, the severe warning has been given for Bid`ahs regarding Aqaa`id, but Mufti Saheb must show us whether the issue concerning *Ilm-e-Ghaib, Haazir-o-Naazir and Mukhtaar-e-Kul* are all Masaa`il of Aqaa`id or not? Has severe warnings been given for such matters or not? Such beliefs were never present during the best of eras. How can it be that severe warning has been given for Bid`ah relating to Aqaa`id but with regard to corollary and other Masaa`il, the term Bid`ah does not even apply and no warning has been given fro them? References have been sufficiently cited which show that Bid`ah applies to beliefs and actions. The citations of Hafiz Ibn Katheer, Allaamah Shamni and other Muhaqqiqeen etc. have the conditions of beliefs, actions and conditions.

Hafiz Ibn Rajab states:

"Whoever innovates a thing and relates it to the Deen, whilst it is not a part of the Deen, then this is clear deviation. The Deen is free from such innovations. It is irrelevant whether this innovation relates to beliefs, actions or statements. As for the statements of some of the Salf which are amongst the good innovations. Such (statements) fall under the category of Bid`ah literally and not in terms of the Shariah." [Jaamiul Uloom Wal Hikam, page 193]

Sheikh Abdul Haqq Muhaddith Dehlwi (rahmatullahi alaihi) states on page 94 of *Maktoobaat* that whatever changes and is contrary to the Sunnat of Nabi (sallallahu alaihi wasallam) is a deviated Bid`ah and rejected. From this we ascertain that every new thing, be it Deeni or Dunyawi, is not necessarily rejected. The second thing that can be gleaned from his text is that it is necessary to follow the Sunnat in so far as Ibaadaat, Aadaat and beliefs. To oppose this is a Bid`ah and rejected. The third thing from this text is that the words "***Every innovation is deviation***" does not included every new thing, as Mufti Ahmad Yaar Khaan has indicated. In fact, according to the words of Hadhrat Sheikh Saheb (rahmatullahi alaihi) the import of the Hadith is Bid`ah-e-Shar`i. The fourth thing is that a Bid`ati is deprived of the Noor of Wilaayat. The Noor of Wilaayat is only attained by following the Sunnat of Nabi (sallallahu alaihi wasallam) and a Bid`ati is completely deprived thereof.

A DOUBT AND ITS CLARIFICATION

It is possible that Mufti Ahmad Yaar Khaan Saheb may aver: *"I did not mean that the condition of Deen does not appear in this Hadith, I meant that the issue of a Deeni thing has been placed by them."* An answer to this is that both these conditions are present in the above-mentioned citations. The condition of Deen and that of action. This has come to light (from the above discussions) that any new innovation in the Deen, whether it be in relation to beliefs or actions, is rejected and baatil. The Hadith ***"Whoever innovates into this matter (Deen) of ours which is not of it, is rejected"*** is general. The word ***"Ma"*** includes beliefs, actions, statements and desires, as has been borne out by the discussion. Therefore to limit it only to Aqaa`id (beliefs) as has Mufti Ahmad Yaar Khaan, is baatil.

In fact, in another context, this Hadith clearly includes the word ***"Amal"*** (action). Hadhrat Aisha (radhiallahu anhu) reports that Nabi (sallallahu alaihi wasallam) said:

"Whoever carries out an action which is not from our matter (Deen), it is rejected."
[Bukhari, page 1092, vol. 2 / Muslim, page 77, vol. 1 / Masnad Ahmad, page 140, vol.6]

From this authentic narration we can clearly see that Bid`ah is not only relating to beliefs, in fact, it relates also to actions. It is apparent from the words of Nabi (sallallahu alaihi wasallam) that for whatever work there is no authentication and there is no seal on it, then that action is rejected and baatil.

Note what emanates from the words of Mufti Ahmad Yaar Khaan. He states:

*"The Shar`i meaning of Bid`ah is those beliefs and actions which were not present in the external form during the era of Nabi (sallallahu alaihi wasallam). They were innovated later on. The result is this that Bid`ah-e-Shar`i is of two types: Bid`ah-e-I`tiqaadi and Bid`ah-e-Amali."* [Jaa`al Haqq, page 204]

This then is exactly what we have been saying all along, that there are two types of Bid`ah, Bid`ah-e-I`tiqaadi and Bid`ah-e-Amali. Warnings have been sounded against both of them (in the Ahaadith). There is a difference however that the warnings against Bid`ah-e-I`tiqaadi are more severe. But the fact still remains that warnings do exist for both of them.

ANOTHER GLARING ERROR OF MUFTI AHMAD YAAR KHAAN SAHEB

He states:

"If we assume that the condition for a Deeni work exists for Bid`ah, then a Deeni work will be defined as that action wherein one anticipates reward.....Also whatever worldly action a person does with good intentions, he also received reward for it.....Therefore every worldly act of a Muslim is a Deeni one also. Now tell us, is it a Bid`ah to feed Pilou (rice dish) to someone with a good intention or not?" [Jaa`al Haqq, page 212]

The wisdom behind specifying *Pilou* is better known to Mufti Saheb himself. The secret as to why he is advocating and encouraging the feeding of *Pilou* is known to him. Why did he not specify general eating? Mufti Saheb must tell us if he ever came across the word *"Mubaah" (permissible)* in any Fiqh Kitaab? If he does not have nay other Kitaab at his disposal then he should refer at least to *Khulaasaa-e-Keidaani*. If he does not have access to this, then at least he should refer to *Anwaa-e-Saatia*, wherefrom he took random excerpts and compiled his *Jaa`al Haqq*. Therein it is stated:

"And some Mubaah (permissibilities), that is, there doing warrants neither reward nor punishment." [Anwaar-e-Saatia, page 47]

There are some actions of the Muslim which warrants no reward or punishment. In fact, Mufti Saheb has himself in substantiation of a certain matter clearly stated that in *Mubaah* there is no relation with reward [see Jaa`al Haqq, page 305]. What more proof does Mufti Saheb need over this?

A BASIC ERROR OF THE AHLE BID`AH

Other Ahle Bid`ah, especially Molvi Abdus Samee` and Mufti Ahmad Yaar Khaan, are guilty of the error of claiming that the import of the words ***"Laisa Minhu"*** *(is not from it)* are those beliefs and actions which are contrary to the Sunnat and the Deen. They take the meaning of 'being contrary' to be whatever Nabi (sallallahu alaihi wasallam) has not issued an explicit prohibition against. They aver that all those matters whereupon Nabi (sallallahu alaihi wasallam) remained silent are not regarded as an innovation or Bid`ah. And even if it can be categorized as a Bid`ah then it would be a Bid`ah-e-Hasana. In this regard, Molvi Abdus Samee` Saheb states:

"Thus all the Ahle Islaam must know that whatever the commentators have written under the Hadith ***'Whoever carries out an action which is not from our matter (Deen)'****, does not mean to exclude everything that is contrary to the Kitaab and Sunnat. Everything is not bad. The clear meaning of this is that whatever the Qur`aan and Hadith have explicitly prohibited is evil. Those things regarding which an explicit prohibition exists, their innovation is rejected."* [Anwaarus Saatia, page 37]

Mufti Ahmad Yaar Khaan states:

"If actions are included then the import of ***'which is not from our matter (Deen)'*** *are those actions which are contrary to the Qur`aan and Sunnat."* [Jaa`al Haqq, page 213]

ANSWER:

This is the clear exposition and import of this ignorant and inane error: Firstly, the words of the Hadith had just passed now, where Nabi (sallallahu alaihi wasallam) states, "***Whoever carries out an action which is not from our matter (Deen)"***, that is, those things which have not been established from Nabi (sallallahu alaihi wasallam) are

rejected. Nabi (sallallahu alaihi wasallam) did not say that those things are rejected which have been prohibited by him. There is a massive difference between the two.

Secondly, those things which have the explicit prohibition of Nabi (sallallahu alaihi wasallam) are forbidden. So how can these things even be considered as innovations and inventions? Why would it then be necessary to differentiate between Bid`ah and innovations, whereas Bid`ah and innovations are separate entities from prohibitions, as has been established from the authentic narrations and the consensus of the Ummat.

Thirdly, if Bid`ah and innovations are those things which have been explicitly prohibited in the Ahaadith, then how come there are two types of Bid`ahs – Hasanah and Sayyia? Can it ever be possible that after Nabi (sallallahu alaihi wasallam) had issued an explicit prohibition on a certain thing, there still remains the possibility of it being *Hasan* (good)?

After an explicit prohibition, could not the Ulama of the Ummat understand that the lowest degree of a prohibition of Nabi (sallallahu alaihi wasallam) is *Karaahat* (impermissibility). How then could they formulate rulings of Waajib, permissible, Haraam, Makrooh and Mubaah for Bid`ah? [See Sharah of Muslim by Nawawi, page 285, vol.1]

Fourthly, to aver that the exclusion of those things which have not been prohibited in the Qur`aan Majeed and Sunnat and that these things are not bad is also an ignorant and baseless claim. It is also in clear contradiction of the Muhadditheen-e-E`zaam and Fuqahaa-e-Kiraam (rahmatullahi alaihim). The Ulama have written that just as one gains proximity and the Pleasure of Allaah Ta`ala by practicing on the necessary Commands, so too does he attain this by obeying Allaah Ta`ala regarding on those things where there is lenience on the Shariah. And also, just as Nabi (sallallahu alaihi wasallam) doing a certain act is Sunnat, his abstaining from an act is also a Sunnat. Hence, to leave out an act which Nabi (sallallahu alaihi wasallam) left out is a Sunnat and to oppose that act would be a Bid`ah.

Hadhrat Mullah Ali Qaari and Sheikh Abdul Haqq Dehlwi (rahmatullahi alaihima) present a Hadith thus:

***"Just as Allaah Ta`ala loves that his Commands be obeyed, He also loves that His leniencies be adhered to."*** [Mirqaat, page 15, vol.2 / Ash`atul Lam`aat, page 128, vol.1]

Also, Mullah Ali Qaari (rahmatullahi alaihi) states in commentary of the first Hadith in Mishkaat:

"Just as one follows in a certain action, so too does one follow in the non-execution of an act. So if one is punctual on an act which Nabi (sallallahu alaihi wasallam) did not do, he is a Bid`ati." [Mirqaat, page 41, vol.1]

At this juncture Sheikh Muhaddith Abdul Haqq Dehlwi (rahmatullahi alaihi) states:

*"Just as how to follow an act is Waajib, similarly, to leave out an act (which Nabi - sallallahu alaihi wasallam left out) is also included as subservience. So whoever is punctual on an act which Nabi (sallallahu alaihi wasallam) did not do is a Bid`ati. This is what the Muhadditheen have mentioned."* [Ash`atul Lam`aat, page 20, vol.1]

The very same explanation is also mentioned in *Mazaahir-e-Haqq* on page 19, vol.1.

It is stated in the Sharah of Masnad Imaam Abu Hanifah (rahmatullahi alaihi):

"Ittibaa` (following) – just as it exists in an action it also exists in not carrying out an action. Hence, if a person practices with regularity on an action which Nabi (sallallahu alaihi wasallam) did not do, he would be regarded as a Bid`ati. The reason being that Nabi (sallallahu alaihi wasallam) said: 'The person who carries out an action which is not amongst our matters, is rejected'."

Imaam Allamah Sayyid Jamaaluddin Muhaddith (rahmatullahi alaihi) states:

"To leave out those things which Nabi (sallallahu alaihi wasallam) left out is a Sunnat just as to do an action which Nabi (sallallahu alaihi wasallam) did is a Sunnat." [Al-Junnah, page 143]

From the above it is established that it is a Sunnat to leave out those acts which Nabi (sallallahu alaihi wasallam) left out, notwithstanding the ability and reasons for its execution being present during that era, just as it is a Sunnat to carry out that act which Nabi (sallallahu alaihi wasallam) carried out. The person who does not practice on this Sunnat of Nabi (sallallahu alaihi wasallam) is, according to the Muhadditheen, a Bid`ati.

This is exactly what we are saying – that all the acts which are perpetrated by the Ahle Bid`ah were possible to have been carried out during the time of Nabi (sallallahu alaihi wasallam), i.e. if Nabi (sallallahu alaihi wasallam) and the Sahaabah-e-Kiraam (radhiallahu anhum) wished to do these acts they could have done so, but Nabi (sallallahu alaihi wasallam) did not carry them out. For us to leave out these acts is also an act of Sunnat and to oppose this (i.e. to carry them out) is a Bid`ah.

Hadhrat Ibn Abbaas (radhiallahu anhu) cautioned against making *Saja`* (speak in rhyming tones) during dua, because Nabi (sallallahu alaihi wasallam) did not make S*aja`*. [Bukhari, page 938, vol.2]

Hadhrat Abdullah Ibn Umar (radhiallahu anhuma) mentions:

"Your raising the hands more than what Nabi (sallallahu alaihi wasallam) raised his is a Bid`ah, that is above the chest." [Masnad Ahmad, page 6, vol.2]

Hadhrat Ammarah (radhiallahu anhu) severely reprimanded Bishr Bin Marwaan when he saw the latter lifting his hands whilst on the Mimbar. He said:

"May Allaah Ta`ala destroy these two hands. I never saw Nabi (sallallahu alaihi wasallam) lifting his hands except to lift his forefinger." [Muslim, page 287, vol.1]

You will note that three very high-ranking Sahaabah-e-Kiraam (radhiallahu anhum) displayed such resentment at acts which were not carried out by Nabi (sallallahu alaihi wasallam). **Hadhrat Ibn Abbaas (radhiallahu anhu) prohibited the makng of *Saja`*** during dua based solely on the fact that it was never done by Nabi (sallallahu alaihi wasallam) or his Companions. Although dua is such an effective and important act of Ibaadat, but the making of *Saja`* in dua was discouraged merely because neither Nabi (sallallahu alaihi wasallam) nor his Sahaabah-e-Kiraam (radhiallahu anhum) did it. **Hadhrat Abdullah Ibn Umar (radhiallahu anhuma) stated the act of lifting the hands higher than the chest** when making dua as being a Bid`ah simply because when Nabi (sallallahu alaihi wasallam) made dua he did not lift his hands higher than his Mubarak chest. **Hadhrat Ammarah (radhiallahu anhu) cursed Bishr Bin Marwaan because he exceeded in the lifting of his hands whilst on the Mimbar** more than what Nabi (sallallahu alaihi wasallam) would.

Consider well how these pious personalities regarded even the slightest change in the Sunnah practice as being Bid`ah, and they prohibited from it. Allaamah Sayyidud Deen Kaashghazi Hanafi (rahmatullahi alaihi) states:

"To perform more than 8 Rakaats (Nafl Salaat) at night and more than 4 Rakaats during the day is Makrooh by consensus." [Muniyatul Musallah, page 102]

It is mentioned in *Nahrul Faa`iq* that it is Makrooh-e-Tahrimi. The Ulama of the Ahnaaf have stated the reason for this to be the non-existence of any narration to corroborate it.

Allaamah Alaa`ud Deen Abu Bakr Bin Mas`ood Al-Kaasaani Hanafi (rahmatullahi alaihi) states, whilst substantiating from other Fuqahaa:

"It is Makrooh because to exceed upon this has not been seen from Nabi (sallallahu alaihi wasallam)." [Badaa`i Wa Sanaa`i, page 295, vol.1]

The author of *Hidaaya* writes:

"The proof for its prohibition is that Nabi (sallallahu alaihi wasallam) did not exceed this (amount of Rakaats). If it was not Makrooh then Nabi (sallallahu alaihi wasallam) would have increased on this to demonstrate the permissibility." [Page 127, vol.1]

It is stated in *Fataawa Kabeeri, Durrul Mukhtaar, Fataawa Ajeeb, Fataawa Ebrahim Shaahi and Kanzul Ubbaad:*

"It is Makrooh to make dua in Ramadhaan at the time of making Khatam of Qur`aan, in such a way that dua is made in a gathering and collectively. This is so because it has never been reported such from Nabi (sallallahu alaihi wasallam) or his Sahaabah-e-Kiraam (radhiallahu anhum)." [From *Junna*, page 142]

You may have noticed that the Fuqahaa-e-Kiraam (rahmatullahi alaihim) **have made the non-action of Nabi (sallallahu alaihi wasallam)** and the Sahaabah-e-Kiraam (radhiallahu anhum) **as a proof (for omitting of an act).** Hereunder are a few more examples:

Imaamul Muhaqqiq Al Mudaqqiq Ali Bin Abi Bakr Hanafi, the author of Hidaaya states:

"It is Makrooh to increase more than two Rakaats of Nafl (Sunnat) Salaat of Fajr after dawn sets in, because Nabi (sallallahu alaihi wasallam) did not increase on this, notwithstanding his love for Salaat." [Hidaaya, page 70, vol.1]

As you may see that the Ulama have extracted the ruling of Karaahat (detestment) for an act which was not carried out by Nabi (sallallahu alaihi wasallam). Besides this view of the author of Hidayah, there is no other proof for the omission of Nafl Salaat other than the two Rakaats Sunnat at the time of Fajr. If the Hadith ***"There is no Salaat after the rising of Dawn except two Rakaats"*** which appears in *Nisbur Ra*`ya on page 255, vol.1, is proven to be authentic, then it will be a case of *Noorun Ala Noor* (light on light), where the statement and action of Nabi (sallallahu alaihi wasallam) both substantiate one another.

At another juncture the Author of Hidaaya states:

*"There is **no Khubah on the occasion of Kusoof** (solar eclipse), **because it has not been reported such from Nabi (sallallahu alaihi wasallam).**"* [Hidaayah, page 156, vol.1]

Notice that the author of Hidaaya reports a non-action by Nabi (sallallahu alaihi wasallam) as a proof in the Shariah. He does not mention that Nabi (sallallahu alaihi wasallam) prohibited it, hence it is a forbidden act.

He states in another place:

*"There is **no Nafl Salaat prior to the Eid Salaat,** because Nabi (sallallahu alaihi wasallam) did not do so, notwithstanding his love for Salaat. Then it is said (by some) that this prohibition only applies to the Eid-Gah. It is also said that this (prohibition) applies to both the Eid-Gah and out of the Eid-Gah, because Nabi (sallallahu alaihi wasallam) neither performed (Nafl) Salaat at the Eid-Gah or out of the Eid-Gah."* [Page 153, vol.1]

You have noticed (again) that the author of Hidaaya has proven the impermissibility of an action due to Nabi (sallallahu alaihi wasallam) not executing the act. To present a Hadith that clearly prohibits the performance of Nafl Salaat prior to Eid Salaat at the Eid-Gah or out, will be a difficult task. According to the author of *Anwaarus Saati`a* and Mufti Ahmad Yaar Khaan, such an act should not be Makrooh or incorrect, because there is no explicit prohibition reported from Nabi (sallallahu alaihi wasallam).

Allamah Ebrahim Halbi Hanafi (rahmatullahi alaihi) has stated that **Salaat-e-Raghaaib (special Salaat performed during the month of Rajab) is Makrooh and a Bid`ah** based on the following:

"Because indeed it has not been reported such (that they performed such a Salaat) from the Sahaabah, Taabieen or those following them." Kabeeri, page 433]

The famous Hanafi Imaam Ahmad Bin Muhammad, who is one of the most senior of the Fuqahaa, states regarding his research of a particular Mas`alah:

***"It is a Bid`ah because it has not been reported such from the Sahaabah or the Taabieen."* [Al-Waaqi`aat]**

Which Muslim is unaware of one of the most authentic Hanafi Fiqh Kitaabs, *Fatawaa Aalimgiri* and *Muheet*? Therein it is clearly written:

"The recitation of Surah Kaafiroon until the end continuously is Makrooh, because it is a Bid`ah and it has not been reported from the Sahaabah or the Taabieen."
[Aalimgiri, page 264, vol.4]

There is no authentic narration which has been reported wherein Nabi (sallallahu alaihi wasallam) has prohibited the performance of Salaat-e-Raghaaib or the prohibition of the recitation of Surah Kaafiroon until the end continuously. However the Ulama of the Ahnaaf have stated it as being Makrooh and a Bid`ah. As a proof they have only cited this much that such acts are not reported from Nabi (sallallahu alaihi wasallam), the Sahaabah-e-Kiraam (radhiallahu anhum) or the Taabieen (rahmatullahi alaihim). Even though an explicit prohibition does not exist for these acts. According to the self-made and fabricated principle of Molvi Abdus Samee` and Co. such acts are not supposed to be Bid`ah or Makrooh, because there exists no explicit prohibition on them by Nabi (sallallahu alaihi wasallam). Now people such a Mufti Ahmad Yaar Khaan profess to accept the Fuqahaa of the Ahnaaf and they are supposed to be Hanfis themselves, yet they practice differently. From the above texts we note that the Fuqaha regard an act as being a Bid`ah merely on the basis that it was not practiced by the Sahaabah-e-Kiraam (radhiallahu anhum) or the Tabieen (rahmatullahi alaihim). In *Bahaar-e-Shariat*, vol. 4, page 32, it is stated that the act of some people who perform Nafl Salaat in congregation on the night of Baraat is Makrooh and a Bid`ah. The Hadith which is presented by some in substantiation of this act is classified as *Maudooh* (fabricated) by the Muhadditheen.

THE DIFFERENCE BETWEEN BID`AH-E-HASAN AND BID`AH-E-SAYYIA

It is imperative that we differentiate and explain Bid`ah-e-Hasana and Bid`ah-e-Sayyia so as to clarify the issue with those who are unaware of the difference and so that they are not left in trepidation regarding the two.

There are two types of Bid`ah – lexicographic Bid`ah and Shar`i Bid`ah. Lexicographic Bid`ah is the term given to all things which are newly invented, which came into being

after the demise of Nabi (sallallahu alaihi wasallam). This includes Ibaadat and Aadat (habitual things). These are divided into five categories: Waajib, Mandoob, Haraam, Makrooh and Mubaah.

Shar`i Bid`ah includes all those innovations which came into being after the three best eras and upon which there is no consent from Nabi (sallallahu alaihi wasallam) by way of word, action, clearly or by indication. This is that Bid`ah which is classified under Bid`ah-e-Dhalaalah, Bid`ah-e-Qabeehah and Bid`ah-e-Sayyia. The Ulama have dilated upon this.

"Bid`ah is of two types: one is a lexicographic Bid`ah and the other is a Shar`i Bid`ah. Lexicographically, Bid`ah is every new invention which includes Ibaadaat and Aadaat. This Bid`ah is further divided into five categories. The second type is that Bid`ah which increases (or decreases) in any revealed Deeni matter after the passing of the three best era. This increase is devoid of consent from Nabi (sallallahu alaihi wasallam). There is no consent from Nabi (sallallahu alaihi wasallam) on these actions, neither by way of word, action, explicit or by indication. This is the meaning of Bid`ah-e-Dhalaalat" [Tarweejul Jinaan / Junna page 161]

For a more detailed explanation on Bid`ah-e-Hasana and Bid`ah-e-Sayyia refer to *Irshaadus Saari, vol.3, page 344, Umdatul Qaari, page 356, vol.5, Nawawi Sharah Muslim, page 285, vol.1* and *Mudkhal, page 257, vol.2*.

Haafiz Ibn Hajar (rahmatullahi alaihi) writes:

"The crux of the matter is this that if Bid`ah has an acceptable proof in the Shariah, then it would be classified as a Bid`ah-e-Hasana. If the Bid`ah has an unacceptable proof then it would be classified as Bid`ah-e-Qabeehah. Otherwise it would be Mubaah. Bid`ah is divided into five categories." [Fathul Baari, page 219, vol.4]

A similar explanation is given in Allamah Aini's *Umdatul Qaari*. Refer to page 356, vol.5.

Now this much remains to be explained, that what is acceptable in the Shariah and what is unacceptable in the Shariah. Hadhrat Imaam Shaafi (rahmatullahi alaihi) states:

*"Bid`ah is of two types. That Bid`ah which contradicts the Kitaab (Qur`aan Majeed), Sunnah, Ijma or Athar of a Sahaabi. This is Bid`ah-e-Dhalaalah. That Bid`ah which does not contradict anything of these, this is a Hasan Bid`ah, in accordance to the words of Hadhrat Umar (radhiallahu anhu): '**This is a good Bid`ah**'"* [Minhaajus Sunnah, page 128, vol.2]

The entire discussion on the above has already been placed before the readers, that just as there exists opposition to words, there exists opposition to action as well. That action which Nabi (sallallahu alaihi wasallam) left out notwithstanding the conditions and ability being in existence during his era and that the Sahaabah-e-Kiraam (radhiallahu

anhum) and Taabieen also left out is undoubtedly a Bid`ah and deviation. This is so because it is in contradiction to the Kitaab, Sunnat, Ijma of the best of eras and Qiyaas. If there exists a little proof for it, then sometimes it may be a good action, whereupon reward is due and sometimes it is merely a permissible action which warrants neither reward nor sin.

The summary of the discussion of Qiyaas in *Majaalis-e-Abrar* and the above-mentioned texts, results in the definition of Bid`ah-e-Hasan and Bid`ah-e-Sayyia is as follows:

Bid`ah-e-Hasan is that action whose prevention was removed after the demise of Nabi (sallallahu alaihi wasallam). Or its conditions and ability of execution came into existence after Nabi (sallallahu alaihi wasallam). Some proof for its execution can be found in Kitaabullaah, Sunnat, Ijma or Qiyaas. This is known as Bid`ah-e-Hasana or in other words it is also regarded as lexicographic Bid`ah, which is not rejected or accursed.

The texts of Allaamah Ibn Rajab etc. has already been quoted which adds more light on the subject. As for that action, which could have been executed during the era of Nabi (sallallahu alaihi wasallam) but he did not carry it out and the Sahaabah-e-Kiraam (radhiallahu anhum), Taabieen and Tabe Taabieen, notwithstanding their extreme love and affection for Nabi (sallallahu alaihi wasallam) also did not carry out this action, then such actions are called Bid`ah-e-Qabeeha, Bid`ah-e-Sayyia and Bid`ah-e-Shar`iah.

Besides this, the Ijtihaad of a non-Mujtahid, especially in our times, is definitely not classified as Bid`ah-e-Hasana. In this regard the Fuqahaa-e-Kiraam (rahmatullahi alaihim) have stated:

"It is stated in Nisaabul Fiqh that Bid`ah-e-Hasana are those actions which the Aimmah-e-Mujtahiddeen have classified as Bid`ah-e-Hasana. ***If any person in our era classifies anything as Bid`ah-e-Hasana then this is contrary to the Haqq, because it is stated in Musaffa that all Bid`ah in our era are deviation.*** *"* [Fatawaa Jaamiur Riwaayat and Junna, page 60]

From this text we clearly see that Bid`ah-e-Hasana is only that which the Aimmah-e-Mujtahiddeen have classified as such. Ijtihaad and Qiyaas are only permissible in those issues and Masaa`il regarding which no Qur`aanic or Ahaadith texts exist, and the conditions and possibility of their execution did not exist during the time of Nabi (sallallahu alaihi wasallam) and the best of eras, in fact, it (conditions and possibilities of execution) came into existence only after these eras. If any person in this present age classifies any new action as a Bid`ah-e-Hasana, then his claim would be totally rejected and discounted.

This is that Bid`ah regarding which Mujaddid Alfe Thaani (rahmatullahi alaihi) stated:

"How can those things which are rejected ever be regarded as Hasan and good?" [Maktoobaat, part 3, page 72]

THE CLAIM OF MUFTI AHMAD YAAR KHAAN

Mufti Ahmad Yaar Khaan has classified all Bid`ah-e-Sayyia as Bid`ah-e-Hasana and has quoted a proof from *Mirqaat* and *Ash`atul Lam`aat*. He proudly avers: *"No Deobandi, Ghair Muqallid or Shirk and Bid`ah perpetrator, in the entire world, can ever define these four things (Bid`ah, Shirk, Deen and Ibaadat) in such a way so as to save his creed. Today also, we make an open challenge to all Deobandis and Ghair Muqallids that they present such a clear and authentic definition which classifies Mehfil-e-Meelaad as Haraam."* [Jaa`al Haqq, page 213]

It has already been explained that it is a Sunnat to do an act or leave out that act which was accordingly done in the best of eras, notwithstanding the conditions and possibility of their execution existing during that time. To oppose a Sunnat is a Bid`ah and deviation. Mufti Saheb must tell us who during the best of eras celebrated Meelad? The definition of Bid`ah has been given in detail in this treatise and the definitions of Shirk, Ibaadat and Deen have all been given in other Kitaabs.

15 – 1 – 2002

QUESTIONS TO THE AHLE-HADITH
By Hadhrat Moulana Muhammad Ameen Okarvi (AR)

PART ONE

1. (a) **Prove from a clear Saheeh (authentic) Hadith, which is 'non-ambiguous' (i.e. it has no other 'contradictory/opposing' Hadith), that it is Sunnat for an Imaam to recite Takbeer-e-Tahreemah in a loud voice and (b) that it is Sunnat for the Muqtadi to recite it in a soft voice.**

2. Present one clear Saheeh Hadith which proves that it is Sunnat to recite Ta`awwuz softly in Salaat.

3. Prove from a clear Saheeh Hadith that it is Sunnat-e-Muakkadah for the person who is performing Salaat alone to say Aameen softly.

4. (a) Present one clear and authentic Hadith proving that it is Sunnat for the Muqtadi to say "Aameen" loudly in six Rakaats and (b) in eleven Rakaats softly.

5. (a) Present one such clear and Saheeh Hadith wherein there is proof that in all the 23 years of Rasulullaah's (sallallahu alaihi wasallam) Nabuwwat, the Sahaabah performed six Rakaats, behind him with reciting "Aameen" in a loud voice and (b) eleven Rakaats in which they said "Aameen" in a soft voice

6. (a) Present only one clear Saheeh Hadith, which proves that during the 30 years of the Khilaafat-e-Rasheeda, on any one day any of the Khalifahs performed Salaat, wherein the Muqtadi recited "Aameen" in a loud voice for 6 Rakaats and (b) in a soft voice in eleven Rakaats.

7. (a) Present one clear Saheeh Hadith wherein Nabi (sallallahu alaihi wasallam) said that it is Sunnat-e-Muakkadah for the Imaam to always recite "Aameen" in a loud voice when reading 6 Rakaats and (b) softly when reading eleven Rakaats.

8. (a) Prove from a clear Saheeh Hadith that any one of the Khulafah-e-Rashideen, during his reign of Khilaafat, recited "Aameen" in a loud voice, whilst being an Imaam when reading 6 Rakaats and (b) saying "Aameen" in a soft voice when reading eleven Rakaats.

9. (a) Prove from a clear Saheeh Hadith where a Muqtadi joins the Jamaat, when the Imaam has already recited more than half of Surah Faatiha, and that for him (Muqtadi), it is Sunnat-e-Muakkadah to recite "Aameen" twice; once in a loud voice during the recital of Surah Faatiha and (b) again in a soft voice after the Imaam has completed the recital of Surah Faatiha.

10. Prove from a clear Saheeh Hadith that the Muqtadi who joins the Jamaat in Ruku,

for him it is Fardh to repeat that Rakaat.

11. Prove from a clear Saheeh Hadith that it is Sunnat to recite the Tasbeehaat in Ruku softly.

12. (a) Prove from a clear Saheeh Hadith that it is Sunnat for the Imaam to recite the Takbeer for going into Ruku in a loud voice and (b) the same in a soft voice for the Muqtadi.

13. Prove from a clear Saheeh Hadith that it is Sunnat for the Muqtadi to say "Rabbana Lakal Hamd" in a soft voice.

14. (a) Prove from a clear Saheeh Hadith that it is Sunnat to recite the du`aa after the Ruku in Witr Salaat and (b) that it is Sunnat to raise the hands when making this du`aa and (c) that the hands should be passed over the face prior to going into Sajdah.

15. (a) Present one clear Saheeh Hadith that proves the Imaam must read Du`aa-e-Qunoot loudly, and (b) that the Muqtadi or (c) Munfarid must read it softly.

16. Prove from one clear Saheeh Hadith that it is Sunnat-e-Muakkadah to recite the Tasbeehs of Sajdah softly.

17. Present one clear Saheeh Hadith that proves the reading of a du`aa between the two Sajdahs as Sunnat-e-Muakkadah.

18. (a) Prove from one clear Saheeh Hadith that it is Sunnat to leave the hands on the side or (b) to fold the hands upon the chest during the Qowma (standing after the Ruku), since some Ghair-Muqallideen leave their handing hanging on their sides and others fold their hands upon their chests. All of them must have a Hadith to prove their actions.

19. (a) Prove from one clear Saheeh Hadith that it is forbidden or Haraam to make 'Raf`a Yadain' (lifting the hands), when going into Sajdah and (b) when lifting the head from Sajdah.

20. (a) Prove from one clear Saheeh Hadith that it is forbidden or Haraam to make 'Raf`a Yadain' in the beginning of the second and (b) fourth Rakaats.

21. Prove from one clear Saheeh Hadith that it is Sunnat to recite the Durood Shareef softly in Salaat.

22. Prove from one clear Saheeh Hadith that it is Sunnat to recite the du`aa after Durood Shareef softly in Salaat.

23. (a) Prove from one clear Saheeh Hadith that it is Sunnat for the Imaam to say Salaam

in a loud voice and (b) for the Muqtadis in a soft voice.

PART TWO

1. (a) "After the Qur`aan Shareef, the most authentic Kitaab is Saheeh Bukhari." - Is this the claim of Allaah Ta`ala or (b) His Beloved Nabi (sallallahu alaihi wasallam)?

2. Is there the complete method of performing even one whole Rakaat, in Saheeh Bukhari?

3. Are the Tasbeehs: (a) "Subhaanakallaahumma", (b) "Subhaana Rabbiyal Azeem", (c) "Subhaana Rabbiyal A`la" or (d) the reciting of Durood Shareef in Tashahhud mentioned in Saheeh Bukhari?

4. Is there any Hadith Shareef in Bukhari which states that the hands must be always be folded on the chest in Salaat?

5. (a) There is an order in Bukhari Shareef for the drinking of camel's urine, but no Ghair-Muqallid drinks it, yet they drink the milk of a cow, whereas there is no such order in Bukhari Shareef.

6. (a) There is an order, in Bukhari Shareef, to pluck the hairs of the under-arm yet no Ghair-Muqallid does this. (b) They shave their under arms, whereas this is not instructed in any Hadith.

7. Rasulullaah (sallallahu alaihi wasallam) said that a person should definitely not desire death at the time of difficulty (page 847, vol.2), whereas Imaam Bukhari (rahmatullahi alaih) acted contrary to this Hadith and made du`aa for his death. [Taarikh Bagdad, page 34, vol.2] Kindly Reconcile?

8. Rasulullaah (sallallahu alaihi wasallam) said that a person should complete one Qur`aan recital a week, and he should not recite more than this (Bukhari, page 756, vol.2). In some narrations three days and in others five days are mentioned, but in most, seven days are stated. Imaam Bukhari (rahmatullahi alaih) acted contrary to this Hadith, and in Ramadaan, he used to complete an entire Qur`aan recital daily [Taarikh Bagdad, page 12, vol.2]. Kindly Reconcile?

9. The Ghair-Muqallids claim that the Hadith of Hadhrat Aisha (radhiAllaahu anha), in Bukhari page 229 vol.1, proves that Taraaweeh and Tahajjud Salaat are one and the same, whereas, Imaam Bukhari (rahmatullahi alaih) acted contrary to this in Ramadaan when he performed his Tahajjud Salaat after Taraaweeh. Explain?

10. Imaam Bukhari (rahmatullahi alaih) reports the Hadith which states that if a dog has to drink from a container, then it has to be washed seven times. It is clear that

if a dog places its mouth in a container, then neither will the taste, colour nor smell of the water therein change. Nevertheless, Imaam Bukhari (rahmatullahi alaih) states that if the taste, colour and smell of water does not change then that water will not be regarded as impure. [Bukhari, page 29, vol.1]. Explain?

11. It is established from the Hadith Shareef that the left-over water of the dog is unclean (Napaak). However, Imaam Bukhari (rahmatullahi alaih) says that it is permissible to make wudhu with the left-over water of a dog. Explain?

12. The Ghair-Muqallids say that semen is Paak. They should present a Saheeh Hadith proving this.

13. Since (according to them) semen is Paak, then it stands to reason that according to the Qur`aan Aayat *"The pure things have been made Halaal for you"*, (a) semen can be eaten. (b) Or is it Haraam to eat? Prove from a clear Saheeh Hadith.

14. Nawaab Waheedus Zamaan, a Ghair Muqallid Aalim, says that whatever wetness comes out from the private part of a female is Paak. They must prove this from a clear Saheeh Hadith.

15. If this wetness is Paak, then is it (a) Halaal or (b) Haraam to consume this? Prove from a Saheeh clear Hadith.

16. According to them besides the blood of menstruation, all other blood is Paak. Prove this from a clear Saheeh Hadith.

17. According to the Ghair-Muqallids dogs are Paak (pure) - [Urful Jaadi, page 10]. The meat, blood, bones, hair and perspiration of a dog is Paak - [Door-e-Ahlia, page 16], its urine and stool are Paak - [Hadyatul Mahdi, page 77, vol.2].
Prove from a clear, Saheeh Hadith that it is permissible to give a dog in Mehr (dowry) to a woman upon marriage.

18. According to them, if a pig falls in a salt mine and becomes decomposed, and turns into salt, then it is Halaal to eat - [Nazalul Abraar, page 50, vol.1]. Prove this from a clear Saheeh Hadith.

19. If (a) pigs, (b) carcasses, (c) used menstruation pads and (d) human excrement falls into a well continuously, will this water be (e) Paak or (f) Napaak? Prove as per Hadith?

20. Present a clear Saheeh Hadith explaining the method of purifying a Napaak well.

PART THREE

1. If Ghair-Muqallids become the rulers of a land, then will they collect (a) Zakaat or (b) Jizya ('tax' collected from non-Muslims) from the Muqallids? Prove from Qur`aan and Hadith.

2. If a woman allowed sexual entry by an animal ((a) pig, (b) dog (c) etc.), (d) then is Ghusl compulsory upon her or (e) not? Prove from a clear Saheeh Hadith either way.

PART FOUR - TAQLEED

1. (a) What is Waajib and (b) what is the law regarding the omission thereof? Prove these from a clear, Saheeh Hadith.

2. Prove from the Qur`aan Shareef or a clear Saheeh Hadith that Taqleed-e-Mutlaq (general Taqleed) is Waajib.

3. (a) What is the definition of Mubaah, and (b) what is the law regarding the person who practises thereupon or (c) omits it? Cite a clear Saheeh Hadith in substantiation.

4. Is it (a) Fardh or (b) Waajib for an Aalim to conclusively prove each and every Mas`ala (ruling) that he issues. Prove this from the Qur`aan or a clear Saheeh Hadith.

5. In the famous Kitaab, "Musannif Abdur Razzaaq", there are approximately 17 000 Mas`alas of the Sahabah and Taabi`een, wherein they have not cited Qur`aan or Hadith in substantiation for their rulings. Is the person who omits the Faraaidh and Waajibaat, contained in these Ma`alas, (a) a sinner or (b) not? Prove from Hadith?

6. (a) The questioners of these 17 000 Mas`alas did not ask for Qur`aan or Hadith proof, they merely accepted the rulings given. Is not this Taqleed? (b) And are the Sahaabah and Taabi`een Faasiq or (c) Kaafir, since they did not cite any Qur`aanic or Ahaadith proof for their rulings? Prove your answers from a Saheeh Hadith.

7. Is it (a) Fardh or (b) Waajib for every lay-man to know the detailed proof of every little Mas`ala? Prove from a clear Saheeh Hadith.

8. Most of your (Ghair-Muqallid) public ask questions (Mas`alas) from your Ulama, and many a times do not even ask for the proof, yet they practice upon these rulings. Are they not Muqallids of these Ulama?

9. Your public do not ask rulings from Deoband or Barelwi Ulama. They only ask

their own Ulama. Is this now (a) Taqleed-e-Shakhsi or (b) Taqleed Ghair Shakhsi Mutlaq. It is clear that to follow the rulings of one set of Fiqh-ha rules is termed Taqleed-e-Shakhsi.

10. Since the discussion of Taqleed, means that one follows a Mujtahid, prove from the Qur`aan and Hadith the definition of a Mujtahid.

11. What are the conditions of a Mujtahid, as stated in Qur`aan and Hadith? Explain in detail.

12. Explain from the Qur`aan and Hadith the limits and functions of a Mujtahid.

13. The Ghair-Muqallids follow the Usools (Principles) of Hadith of the Shaafi Mazhab and not that of the Hanafi Mazhab. (a) Is this Taqleed-e-Shakhsi or (b) Taqleed-e-Mutlaq?

14. To accept (as the Ghair-Muqallids do), the criticisms and objections on the narrators of Hadith as stated in the Kitaabs of 'Asmaa-e-Rijaal', which are many a times without solid proof, (a) is it Taqleed or (b) not?

15. To accept these criticisms only from Shaafi Kitaabs and not from Hanafi Kitaabs, is this Taqleed-e-Shakhsi or Taqleed-e-Mutlaq?

16. To accept from the libraries, (a) Mishkaat and to reject 'Zujaajatul Massabih'. (b) To accept 'Muwatta Imaam Maalik' and to reject 'Muwatta Imaam Muhammad'. (c) To accept Tirmidhi and not to have faith in 'Tahaawi'. Is all this (d) Taqleed-e-Mutlaq or (e) is it not the effects of Taqleed-e-Shakhsi?

17. Would you classify your hanging on only to the interpretation of your own Ulama with regard to the classification of weak and Saheeh Ahaadith and rejecting the classification of the Hanafi Ulama as (a) Taqleed-e-Shakhsi or (b) Mutlaq?

18. Would you regard the Taqleed that the Jews made of their Priests, (a) as Shakhsi or (b) Mutlaq? Answer from the Qur`aan or Hadith.

19. Are the different categorisations and classifications of the Ahadith by the Muhadditheen to be found (a) in the Hadith or (b) the Qur`aan, or have they been defined and formulated by the Ummat? (c) Is this not Taqleed?

20. According to you, (a) is everyone a Mujtahid, or (b) are only some people Mujtahids and (c) others not? The Qur`aan Shareef has shown both categories. *"And if they refer to the Rasool and the Ulool Amr amongst them..."* and *"Ask the Ahle Zikr (learned ones) if you do not know.."* – (d) do you accept these Aayaat or not?

21. A Ghair Mujtahid will never be free of one of two conditions; either he is given

permission to extract the rulings from the Four Proofs (Adilla-e-Arba`a), and practice (a) upon his own findings or (b) he use the rulings of any other Mujtahid. In the first instance, he will become a Mujtahid and in the second a Muqallid. Since he will not be au fait with the conditions of a Mujtahid, all his rulings will be Baatil (false), hence his Ibaadat will be rejected. Explain?

22. Now, if a Ghair Mujtahid uses the rulings of a Mujtahid, then he will never be free of two conditions; either he gives preference of one Mujtahid's Mazhab over the others, in which case this will be termed Taqleed-e-Shakhsi, because for one to choose the option which is unpreferred is impermissible.

23. If he makes Taqleed-e-Ghair Shakhsi, and he understands all the Mazhabs to be on an equal footing, then what will he do when one Mujtahid rules a certain thing to be Halaal and another Mujtahid rules the same thing to be Haraam? Then according to this Ghair Mujtahid everything is on an equal basis so it will be neither Halaal nor Haraam for him. Or everything will be Haraam for him or everything will be Halaal. This is Baatil, and also to deem everything as equal would also be Baatil.

24. If the Ghair-Muqallid accepts all four Mazhabs as equal as far as accepting and rejecting their rulings, then nothing will remain Fardh for him neither Haraam. In fact, it will depend on his discretion, if he wishes to take something as Halaal he will do so, and at other times he can take it as Haraam. Now this will not remain as Taqleed of a Mujtahid, but rather as Taqleed of one's Naffs (desire). This person will come under the scope of the following Aayaat: ***"The Naffs has been prohibited from (following its) desires",*** and ***"Does man think that he will be left 'Suda' (neglected from being punished for not following the obligations of Deen)?"***

25. The term Mujtahid will merely be used, falsely, in order to follow one's own desires and whims. One will be led astray, while under the false notion that he is following the Qur`aan and Sunnah. This is the sad condition of most of the Ghair-Muqallids of present times.

26. If any Ghair-Mujtahid claims (a) that he will follow that ruling of a Mazhab which is closest to the Qur`aan and Hadith, then how wrong is he (b) or not? It is the same as a person saying that he will decide between a few doctors prescriptions and then choose that one which is closest to the principles of medicine, or like one who says that he will choose the most correct ruling of a judge, which is closest to the principles of law. How can one decide such things when he is completely unaware of medicine or law. The same will apply to the Usools and principles of Deen. The rulings of one who is unaware of the principles is rejected. This is an insult to the great Mujtahiddeen.

27. (If for example) Zaid's tooth is bleeding. He says that according to Imaam Shaaf`i (rahmatullahi alaih) wudhu does not break, and then he touched his private part,

and says that according to Imaam Abu Hanifah (rahmatullahi alaih) his wudhu does not break. In this condition he performs Salaat. (a) Is his Salaat accepted (b) or is it rendered Baatil due to Taqleed-e-Mutlaq.

28. A Ghair-Muqallid makes a Hanafi do masah on a normal sock, and then in Salaat he does not recite Surah Faatiha behind the Imaam. Now the Hanafi says that his Salaat is void because he was without wudhu, and the Ghair-Muqallid says that his Salaat is not valid because he did not recite Surah Faatiha. Now in this case the Hanafi's Salaat was rendered Baatil due to his being tricked with freedom of choice and Taqleed-e-Mutlaq.

29. Taqleed is regarded as being led on a dog's leash. (a) Which Hadith indicates this difference that this meaning does not apply to Taqleed-e-Mutlaq or (b) that it is Waajib to place the 'dog's leash' upon the human or (c) that the word Taqleed-e-Shakhsi is Haraam or (d) Shirk (ascribing partners with Allaah Ta`ala) and (e) not suitable for use.

30. (a) The Ghair-Muqallids claim that to follow one Imaam is Shirk and (b) that to make Taqleed-e-Mutlaq of all the four Imaams is Waajib. From which Saheeh Hadith have they taken this?

31. Is this logical that to make Sajdah to one idol is Shirk and to make Sajdah to four is Waajib? Reply from a Saheeh and clear Hadith.

32. If it is Shirk to accept all the Ijtihaad of one Imaam, then is it not as though you are regarding Imaam Bukhari (rahmatullahi alaih) as being completely free from any fault (Ma`soom), by readily accepting ALL his Ahaadith?

33. Some La-Mazhabs (Ghair-Muqallideen) aver that it is not even correct to use the word Taqleed. Can they prove this from any clear, unambiguous and Saheeh Hadith.

34. Some ignorant ones say that this word does not come with this meaning in the Qur`aan and Hadith, hence it is impermissible. Then tell us, (a) where in the Hadith or (b) Qur`aan does all the different terms used in the (c) definition and (d) classification of Ahaadith appear? If they do not appear anywhere, then will it be correct to term all these terms (e) Haraam or impermissible, (f) or not?

35. Since this word (Taqleed) does not appear in the Qur`aan or Hadith with this meaning, then how do you conclude that it is (a) Shirk or (b) Haraam?

36. Some La-Mazhabs say that we should prove the names of the Four Imaams of Mazhab from the Ahaadith Shareef. We say that they must first prove the names of the six Imaams of Hadith (authors of the Sihah Sitta) from the Ahaadith. (6)

37. Some La-Mazhabs say that we must show the names 'Hidaaya', 'Qudoori',

‘Aalimgiri’, etc (names of Fiqh Kitaabs) from the Ahaadith. Then we request then to show the names of the Sihah Sitta in the Ahaadith. (6)

38. When Allaah Ta`ala ordered the Angels to prostrate to Hadhrat Aadam (alaihi salaam), it was an explicit command, which had no accompanying reason or proof. The Angels complied without asking for any proof. This is Taqleed. Shaitaan did not don the mantle of Taqleed, hence Allaah Ta`ala placed the shackles of curse upon his neck!

39. The same claim made by shaitaan that ***“I am better than him!”***, is the claim of the Ghair-Muqallideen of the present day. If you present to them the sayings of the Sahaabah (radhiAllaahu anhum), they say ***“I am better than him!”***

40. If shaitaan was not a Ghair-Muqallid, then show us; whose Muqallid was he? Prove from (a) Qur`aan and (b) Hadith.

41. Some La-Mazhabs say that shaitaan made Qiyaas, just like the Mujtahiddeen. Then we ask them: Was shaitaan truly a Mujtahid? Prove from the (a) Qur`aan and (b) Hadith.

42. If shaitaan was actually a Mujtahid, than according to Bukhari Shareef, he is liable for at least one reward, not curses. Will shaitaan be getting any reward?

43. (a) Are the Aimma-e-Mujtahideen, according to you, accursed just like shaitaan? (b) Or perhaps more so, since shaitaan only made Qiyaas in one Mas`ala and the Aimma-e-Mujtahideen made Qiyaas in many Masaa`il? Reply from a clear Saheeh Hadith.

44. Shaitaan is liable for so great a sin, for making one Qiyaas, and no one makes his Taqleed. The Aimma-e-Mujtahideen had made many Qiyaas, and they have millions of followers (Muqallids). (a) Will these Aimma-e-Mujtahiddeen also share in the ‘sin’ of all these followers of theirs or (b) not? Answer from Ahadith?

45. To make the Taqleed-e-Shakhsi of one Imaam is Haraam, according to you. (a) Prove this with one Aayaat or (b) a clear Saheeh Hadith. Otherwise, this classification of Haraam and Halaal by you is a new innovation, and a way of the priests of the jews and Christians.

46. (a) Will it be Fardh to change one’s Imaam for every mas`ala, just to save oneself from Taqleed-e-Shakhsi? That is if one Imaam is asked about a mas`ala, it will be permissible and to ask another will be Haraam. Present an Aayat from (b) the Qur`aan Shareef or a (c) Saheeh clear (d) Hadith to prove or (e) disprove this ruling.

47. Or according to you, the ruling between these will change, i.e. on one day it is

Fardh to ask one Imaam a mas`ala, and on the next day it is Haraam to ask the same Imaam but Fardh to ask another Imaam, and on the following day it is Haraam to ask the first two and Fardh to ask the third one. That is to change an Imaam for every day is Fardh. If this is so, then present (a) an Aayat or (b) a clear Saheeh Hadith proving this point.

48. Or is it that the turns will change every month, i.e. one month it will be permissible to ask one Imaam mas`alas and Haraam on the next month. Similarly, to have a new Imaam for every month or every year. If this is the case then prove this duration from (a) an Aayat or (b) a clear Saheeh Hadith.

49. To recite Qiraat (from the Qur`aan) in Salaat is Fardh. Now there are seven different styles of Qiraat which have been revealed, (a) so is it Fardh to learn all these different Qiraats? (b) And will it be Fardh to recite every one of these types of Qiraats in Salaat? If a person recites only one type of Qiraat in his Salaat for his entire life, will he now be (c) a Kaafir or (d) a Mushrik or (e) a Haraami?

50. Since there are seven types of Qiraats, (a) will the person who recites only one type of Qiraat in his Fardh Salaat be completing his entire Fardh duty or (b) will he only be completing one seventh (1/7th) of his Fardh?

51. What if a woman says that to make a nikah is Sunnat, but to remain for one's entire life in the marriage of one husband is Haraam because this is like making Taqleed-e-Shakhsi!

52. The Qur`aan Shareef has shown us the method of the non-Muslims, ***"They make (something) Halaal for one year then they make it Haraam for the next"***. Taqleed-e-Shakhsi, prevents one from this very same thing. Since Ghair Shakhsi will include (rather necessitate) one following his/her own desires, whims and fancies, this will inculcate this Bid`ah habit in one.

53. Nabi (sallallahu alaihi wasallam) described one of the qualities of a Munaafiq as follows, ***"Neither this way nor that.."***. Taqleed-e-Shakhsi saves one from this Munaafiq quality. Taqleed-e-Ghair Shakhsi actually necessitates this type of quality.

54. In the same way that the rejecters of Hadith say that Hadith is a proof but Khabar-e-Waahid is not proof, so too is the condition of the Ghair-Muqallids when they say that Taqleed-e-Shakhsi is not a proof. Both of them have one and the same method, if not then explain the difference.

55. If Taqleed-e-Shakhsi is 'Haraam', then it will not be permissible for a Ghair-Muqallid to write a kitaab, because that kitaab will be the result of the research of that person, and to lead people upon the research and rulings of one person is 'Haraam'. It will also be 'Haraam' for the Ghair-Muqallid public to accept these writings.

56. If Taqleed-e-Shakhsi is ‘Haraam’, then it will be ‘Haraam’ for a Ghair-Muqallid to deliver a lecture or to teach students. It will also be ‘Haraam’ for the listeners to accept what he has said, since this will be the result of one person’s findings.

57. If Taqleed-e-Shakhsi is Shirk and Haraam due to the Mujtahids not being infallible and sinless, then how will it be permissible to take turns in making Taqleed of the four un-infallible Imaams, when every mas`ala of theirs is not formed by a sinless person?

58. If Taqleed-e-Shakhsi is Haraam because the Imaams of Ijtihaad are not infallible and sinless, then it will follow that all the Ahaadith Shareefs also be rejected and considered Haraam on this same basis that the compilers thereof are also not infallible and sinless.

59. If Fiqh is rejected because it is Zanni (infinite proofs), then please tell us, what will your ruling be on the Masaa`il of Ijma (consensus of opinion), since these Masaa`il are not Zanni and hence free from errors? From the Ahaadith Shareef, very few of them are Mutawaatir (narrated via a continuous chain), most of the Saheeh Ahaadith are Aahaad (narrated from one source) and Zanni, so why do you accept these Zanni Ahaadith? Answers to these questions are binding upon the Ghair-Muqalliddeen.

PART FIVE

Ulama-e-Kiraam (Ghair-Muqalliddeen)! Kindly answer the undermentioned questions, citing from Qur`aan Shareef and from clear Saheeh Ahaadith, since it is the claim of the Ghair-Muqalliddeen that every mas`ala be proven from and must exist in the Qur`aan or the Ahaadith. If the answer is from anywhere other than the Qur`aan Shareef or Ahaadith, then it will be rejected.

1. Where in the (a) Qur`aan or (b) the Ahaadith are the two types of sins, (c) Kabeerah and (d) Sagheerah (major and minor), mentioned?

2. Cite the concise and precise meaning of a (a) Kabeerah and (b) Sagheerah sin from a (c) Qur`aanic Aayat or (d) a Saheeh Hadith. Do not quote any Umaati's definition.

3. Is the punishment for a Kabeerah sin only Hadd (Divine retribution), which is to be (a) meted out on the perpetrator in this world, or (b) is the punishment two-fold, i.e. Hadd and Ta`zeer (banishment or another 'extra' punishment)? Answer from (c) Qur`aan and (d) Hadith.

4. Give the precise definition of (a) Hadd and (b) Ta`zeer from the (c) Qur`aan Shareef and the (d) Ahaadith. Do not quote a sinful Ummati.

5. Is Hadd dropped off in the case of doubt? Answer from (a) Qur`aan and (b) Hadith.

6. How many types of doubts are there? Give details, quoting from (a) Qur`aan and (b) Hadith.

7. The following Hadith appears in Tirmidhi Shareef page 229, vol. 1 and in Ibn Majah page 187: ***"There is no Hadd on that person who commits sodomy with an animal".*** Does it follow now that since Hadhrat Ibn Abbaas (radhiAllaahu anhu), Imaam Tirmidhi, Imaam Ibn Majah and all the other Muhadditheen (rahmatullahi alaihim) kept silent regarding this Hadith, such an act (sodomy with animals) is permissible?

8. A husband has intercourse with his wife who is fasting a Fardh Fast. Will this intercourse be regarded as (a) Halaal or (b) Haraam? (c) Will both of them be stoned or not? (d) What other Hadd will be meted out on them?

9. Is the intercourse of a husband with his wife, who is menstruating, (a) Halaal or (b) Haraam? If they do have intercourse in this state, (c) then what Hadd will be meted out on them? (d) Will there be Hadd (e) or not?

10. Is the intercourse of a husband with his wife, who is in Nifaas (bleeding after birth), (a) Halaal or (b) Haraam? If they do have intercourse in this state, (c) then

what Hadd will be meted out on them? Will there be (d) Hadd (e) not?

11. A woman is in the state of Ihraam during her Fardh Hajj and her husband has intercourse with her. Which of the two punishments (a) stoning or (b) lashing do they deserve?

12. A person consumed the wealth of interest, which is definitely Haraam. How many lashes of Hadd are due upon him?

13. A person ate pork, without there being a necessity. How many lashes are due upon him as prescribed (a) in the Qur`aan or (b) Hadith?

14. One person drank blood.

15. And Another drinks urine.

16. Another eats excreta. What is the (a) Qur`aanic or (b) Ahaadith prescribed Hadd on each one of them?

17. Explain, in detail, from (a) the Qur`aan or (b) Hadith that Zina (adultery/fornication) which necessitates (c) only Hadd and that which necessitates (d) Hadd and Ta`zeer.

18. A woman had made Nikah without the consent of her Wali (guardian), and this type of Nikah is regarded as Baatil according to the Hadith (Tirmidhi, page 176, vol.1 and Ibn Majah, page 136). Thereafter this couple had intercourse. (a) What Hadd will be meted out on them? (b) Stoning or (c)100 lashes each? (d) Give your answer from a clear Saheeh Hadith.

19. Is the following Hadith (a) Saheeh or (b) Da`eef (weak): ***"He who copulates with his Mahram (blood relative), must be killed"***. Can you ascertain the truthfulness and veracity of the narrators of this Hadith, i.e. (c) Ubaad Bin Mansoor, (d) Ismail Bin Abi Habeebah, (e) Dawood Bin Husain and (f) Ikramah?

20. Does the copulation described in the Hadith above refer to (a) within wedlock or (b) out of wedlock? Is the executing mentioned (c) a Hadd or (d) Ta`zeer? (e) Explain from a clear Saheeh Hadith.

21. In the Hadith where mention is made of executing the man who marries his father's wife and taking all his wealth, (a) is this punishment only for this type of nikah, or (b) is it also for Irtidaad (one who leaves the fold of Islaam).

22. Does it (above Hadith) refer (a) to having intercourse or (b) not? (c) Prove this from a clear Saheeh Hadith.

23. Present a clear Saheeh Hadith in connection to the Hadd being Waajib upon that

person (a) who marries a Mahram relative and (b) has intercourse with her.

PART SIX

1. Did (a) Allaah Ta`ala refer to (b) Bukhari and (c) Muslim Shareefs as ‘Saheehain’, or did (d) Rasulullaah (sallallahu alaihi wasallam)?

2. The cliche that ‘the most Saheeh Kitaab after the Qur`aan is Bukhari Shareef’ - is this (a) an Aayat of the Qur`aan Shareef or (b) is it a Hadith from the Sihah Sitta? Is the person who rejects this statement, (c) a rejecter of Allaah Ta`ala and (d) His Rasool (sallallahu alaihi wasallam)?

3. 112 Ahaadith of Imaam Bukhari (rahmatullahi alaih) are criticised and 130 of Imaam Muslim’s Ahaadith are criticised. Imaam Bukhari (rahmatullahi alaihi) has related Ahaadith from 435 narrators that Imaam Muslim has not related from. Of these 80 are doubtful. Imaam Muslim has taken Ahaadith from 620 narrators that Imaam Bukhari has not, and of these 160 are doubtful. In contrast to this Imaam Abu Hanifah (rahmatullahi alaih) has ruled on 12 090 000 mas`aail, of which only 5 to 7 rulings are criticised. Is this not a proof of Imaam Saheb’s greatness and status?

4. Imaam Abu Hanifah (rahmatullahi alaih) was a Taab`i, whilst Imaams Bukhari and Muslim (alaihimus salaam) were not even Tab`e Taabi`een. Imaam Saheb is included as being from amongst the “Khairul Quroon” (best of era), according to the Hadith, therefore is he not better than (a) Imaams Bukhari and (b) Muslim?

5. The fact that Hadhrat Abu Bakr (radhiAllaahu anhu) is the best of the Ummat has been established (from the Ahaadith). The Ulama are unanimous on the fact that Imaam Abu Hanifah (rahmatullahi alaih) is the best of all the Mujtahideen that came after him and the Ghair Muqalliddeen aver that Imaam Bukhari(rahmatullahi alaih) is the best of all the Muhadditheen that came after him. However, even though Hadhrat Abu Bakr’s (radhiAllaahu anhu) virtue has been established, it does not mean that any of his narrations are given preference over the narration of another Sahaabi. In the same way it does not mean that the Ijtihaad of Imaam Saheb, being the most virtuous of the Mujtahids (that came after him) must necessarily be given preference over the Ijtihaad of any other Mujtahid and that all other Ijtihaads are rejected. But, according to the belief of the Ghair Muqallideen, any Hadith which is compared (similar) to the narrations of Imaam Bukhari (rahmatullahi alaih), is not acceptable to them, regardless of whether the Muhaddith (a) who reported it came before Imaam Bukhari (rahmatullahi alaih), (b) or was his contemporary or came after him. What proof from the (c) Qur`aan or (d) Hadith can you forward in order to substantiate this?

6. From amongst the Ahle Sunnat Wal Jamaat, at least 98% of them perform Salaat properly by practising upon the Fiqh of Imaam Abu Hanifah (rahmatullahi alaih). Present the name of just ONE person, the entire world over, who can perform

even a SINGLE Rakaat properly just by referring to Bukhari Shareef.

7. What is the reason for (a) Imaams Muslim, (b) Abu Dawood, and (c) Ibn Maajah (rahmatullahi alaihim) not citing, in their Saheeh Kitaabs, even a single Hadith from Imaam Bukhari (rahmatullahi alaih)? And that (d) Imaam Nisai (rahmatullahi alaih) has reported only one Hadith from Imaam Bukhari (rahmatullahi alaih) ?

8. What is the reason for Imaam Tirmidhi (rahmatullahi alaih), who has reported the Mazhabs of various Faqhis, not mentioning the Mazhab of Imaam Bukhari (rahmatullahi alaih)? This clearly proves that Imaam Tirmidhi (rahmatullahi alaih) did not regard Imaam Bukhari (rahmatullahi alaih) as a Faqhi.

9. Imaam Tirmidhi (rahmatullahi alaih) has quoted the criticisms of other Ulama many times, but that of Imaam Bukhari (rahmatullahi alaih) only two to three times. Why is that?

10. Why is it that Imaam Bukhari (rahmatullahi alaih) has a mixture of the narrations of Bid`atee narrators, such as (a) Mu`tazilas, (b) Qadriyas, (c) Jahmiyahs, (d) Khawaarij and (e) Rawaafidhas?

PART SEVEN

Respected Ulama-e-Kiraam (addressing the Ghair-Muqallideen)! Hereunder is a list of Masaa`il for which, if you agree are correct, then present a clear Saheeh Hadith to prove it, and if you believe it to be incorrect then disprove it by quoting an Aayat or a Hadith. Also, cite the mentioning of the Mas`ala with the laws regarding it from an authentic Kitaab of the Ghair Muqallideen. Otherwise, if you cannot substantiate with a Hadith, then people should know that your claim of being followers of Hadith is as false as the claim of those rejecters of Hadith who claim to follow the Qur`aan Shareef. And if you cannot cite a Kitaab wherein the Mas`ala appears with its relevant laws, then people should know that your Jamaat are orphans as far as knowledge is concerned, in that you do not have a concise kitaab for reference.

1. Explain the concise and actual definition of alcohol which is known in Arabic terminology as "Khamar". Quote from (a) Qur`aan or (b) Hadith, when explaining.

2. Is the word "Khamar" also used (a) metaphorically or (b) not? (c) If so then in what meanings is it used.

3. It is mentioned in the Ahadith that to look at another person (of opposite sex) (a) with lust or (b) to speak to or (c) touch such a person is Zina. Is the word Zina in this Hadith meant (d) literally or (e) figuratively? (f) In the same way is the word "Khamar" also used figuratively?

4. There is consensus of opinion amongst the Ahle Sunnat Wal Jamaat that the Hadd for drinking alcohol is 80 lashes. Has this punishment been prescribed in (a) any Aayat of the Qur`aan Shareef or (b) does it appear in a Saheeh Hadith or (c) is it the result of Qiyaas? (d) Answer from a clear Saheeh Hadith.

5. It is stated in the Hanafi Fiqh Kitaabs such as Hidaaya and Aalimgiri etc. that the person who regards even one drop of alcohol as Halaal is a Kaafir. (a) Is this also according to you or (b) not? (c) Reply from a Saheeh Hadith and (d) prove or (e) disprove this Hanafi ruling from a clear Saheeh Hadith.

6. Is it not stated in Bukhari Shareef that even to rebuke and taunt an alcoholic is Makrooh?

7. It is stated in the Hanafi Fiqh Kitaabs such as Hidaaya and Aalimgiri etc. that the very essence of alcohol is Haraam, regardless of whether it is one drop or not or whether one becomes intoxicated or not. (a) Prove or (b) disprove this from a clear Saheeh Hadith and (c) also cite the correct ruling of this mas`ala from an authentic Kitaab of yours.

8. It is established from the Qur`aan that alcohol is Haraam because it prevents one from the Zikr of Allah Ta`ala, creates enmity between people and due to its

resultant intoxicated state. (a) Will it then be correct to conclude that alcohol will not be Haraam, unless it intoxicates? (b) Is this conclusion correct or (c) not? (d) Prove your answer from a clear Saheeh Hadith.

9. It is stated in the Hanafi Fiqh Kitaabs such as Hidaaya and Aalimgiri etc. that alcohol is a Najaasat-e-Ghaliza just like urine, but in your kitaabs such as 'Urful Jaadi', 'Kanzul Haqaa`iq' and 'Nazlul Abraar' it is stated that alcohol is Paak and pure. (a) Which clear Saheeh Hadith does this Hanafi mas`ala contradict? (b) Which clear Saheeh Hadith does your kitaabs establish this mas`ala from?

10. It is stated in the Hanafi Fiqh Kitaabs such as Hidaaya and Aalimgiri etc. that alcohol has no value. If someone pour out (dumps) another person's alcohol, then there will be no retribution upon the first person. (a) Prove or (b) disprove this mas`ala from a clear Saheeh Hadith and (c) explain this mas`ala from an authentic kitaab of yours.

11. It is written in the Hanafi Fiqh Kitaabs that it is Haraam to derive any benefit from alcohol. (a) You state your viewpoint from any authentic kitaabs of yours and (b) prove from a clear Saheeh Hadith.

12. It is stated in Hidaaya that if a comb touches the froth of alcohol then it is Haraam to comb the hair with this (alcohol wet) comb. (a) State this mas`ala from any authentic kitaabs of yours proving (b) disproving the Hanafi mas`ala from or (c) a clear Saheeh Hadith.

13. According to Hanafi Fiqh it is Haraam for a person to use alcohol as medication. A Muslim does not even have this much leeway that he can give alcohol as a medication to animals or a non-Muslim. State this mas`ala from any authentic kitaab of yours.

14. According to Hanafi Fiqh it is Makrooh to even farm grapes with the intention of making wine (Qadhi Khaan). (a) You state your mas`ala from an authentic kitaab of yours.

15. According to the Hanafis, if a little alcohol falls into flour and it is mixed therein and bread made, then this will not be permissible to eat (Hidaaya), but in your kitaab 'Nazlul Abraar' it is stated that such bread is permissible to consume. (a) Prove your mas`ala and (b) disprove the Hanafi mas`ala with a clear Saheeh Hadith.

16. According to Hanafi Fiqh, it is not Halaal to even look at alcohol with the intention of amusement. (a) You state this mas`ala from an authentic kitaab of yours and (b) prove or (c) disprove the Hanafi mas`ala (d) with a clear Saheeh Hadith.

PART EIGHT

Prove the under-mentioned statements from any Aayat of the Qur`aan or a Saheeh Hadith, regarding which no one had made any objection about its being Saheeh. Prove also, that from those mas`alas presented hereunder there is a clear undisputable proof in the Shariah.

1. Nabi's (sallallahu alaihi wasallam) always making of Raf`a Yadain (lifting of hands) at (a) the time of going into Ruku and (b) lifting his head from Ruku.

2. Nabi's (sallallahu alaihi wasallam) always placing his hands upon his chest when performing Salaat.

3. Nabi's (sallallahu alaihi wasallam) always reciting 'Ameen' aloud when performing Salaat.

4. That the Hadith of 'reciting Qiraat behind the Imaam' was revealed after the Aayat of keeping silent when Qiraat is being recited.

5. Allaah Ta`ala or Nabi (sallallahu alaihi wasallam) forbidding the following of anyone of the four Imaams of Taqleed.

6. (a) That to have Ijma (consensus of opinion) or (b) make Qiyaas upon the (c) Qur`aan or (d) Sunnat is Haraam.

7. That it is permissible to marry a woman to her previous husband without making "Halaalah" after he had given her three Talaaqs.

8. That it is Fardh to make Taqleed of your (a) Imaams Ibn Taymia, (b) Dawood Zaahiri, (c) Ibn Hazam and (d) Shoukani etc.

9. That to suffice (a) upon the Ahaadith of the Sihah Sitta and (b) not to accept any Hadith from any other Hadith Kitaab.

10. That in this age of Fitnah, every layman can practice upon the (a) Qur`aan and (b) Hadith without research and (c) to encourage others to follow.

11. To perform two Salaats at one time without any valid Shar`i excuse, ie. (a) To perform Zuhr and Asr at one time or (b) to perform Maghrib and Esha at one time.

12. To understand and regard as (a) weak and (b) rejected those Ahaadith which have reached (c) Imaam Abu Hanifah (rahmatullahi alaih) via (d) the Sahaabah and (e) the Taabi`een and to grant preference to those Ahaadith which have been narrated after the "Best of eras".

13. To brand the visiting of the grave of Rasulullaah (sallallahu alaihi wasallam) with the intention of Ziyaarat by the Haajis as (a) Shirk, (b) custom of ignorance, (c) Haraam or (d) Makrooh.

14. To regard all the Muqallideen of the Haramain Sharifain as (a) Mushriks and (b) Bid`atees.

15. What is the ruling of reciting the Injeel in the state of Janaabat (greater impurity)?

16. If one shaves his head after making wudhu, must he now (a) renew his wudhu or (b) remake the masah?

17. Does the skin of (a) swine, (b) snakes and (b) rats become pure after tanning?

18. Regardless of how far water is, will it be permissible to make Tayammum?

19. How will that person perform Salaat who does not have access (a) to water or (b) sand (Mas`ala of Faaqidut Tahoorain)?

20. What is the ruling regarding the person who has (a) no hands, (b) feet or (c) is severely wounded in the face? Must he make Salaat, (d) without performing wudhu or (e) must he make Masah or Tayammum?

PART NINE

1. Prior to the English occupation in India and Pakistan, there were numerous (Hanafi) translations of the Qur`aan Shareef that adorned every Muslim home, for example, the Persian translation by Shah Waliullah, the Persian Tafseer by Shah Abdul Azeez Muhaddith Dehlwi, the Urdu translations of Shahs Abdul Qadir Saheb and Shah Rafee`udeen Saheb. Just as there were no Qur`aanic translations of the Mirzaas and rejecters of Hadith prior to the English occupation, in similar vein there were no translations of the Ghair-Muqallideen. If there was any translation of the Ghair-Muqalliddeen prior to this period, then please do tell us the (a) name and (b) location of such a work.

2. Prior to the English occupation of Indo-Pak, there were numerous Hadith Kitaabs of the Ahnaaf, like 'Mashaariqul Anwaar' by Sheikh Radiud Deen Hasan San`aani, and 'Kanzul A`maal' by Sheikh Ali Hanafi. Even today these Kitaabs are prevalent. However, there was no such Kitaabs written by any Mirzaae or Ghair-Muqallid. If there was, then please to tell us (a) by who and (b) where.

3. Prior to the above period the Ahnaaf had compiled numerous Kitaabs on the language and lexicography of the Ahaadith, like 'Majmaul Bihaarul Anwaar', and such Kitaabs are even being used upto present day by Arabs and non-Arabs alike. However, there was no such Kitaabs compiled by any Mirzaae or Ghair-Muqallid.

4. Prior to the above period the Ahnaaf had compiled numerous Kitaabs on the narrators of the Ahaadith, like 'Al-Mughni' etc., and such Kitaabs are even being used upto present day by Arabs and non-Arabs alike. However, there was no such Kitaabs compiled by any Mirzaae or Ghair-Muqallid. If there was then please do present it.

5. Prior to the above period the Ahnaaf had compiled numerous Kitaabs on the commentary of the Ahaadith, like 'Lam`aat' the commentary of Mishkaat, 'As`atl Lam`aat' the Persian translation of Mishkaat, 'Taiseerul Qaari' the commentary of Bukhaari, 'Musaffaa' the commentary of Muwatta Imaam Maalik, 'Mazaair-e-Haqq' the commentary of Mishkaat, etc., and such Kitaabs are even being used upto present day by Arabs and non-Arabs alike. However, there was no such Kitaabs compiled by any Mirzaae or Ghair-Muqallid for the benefit of the Ummat. Can any Ghair-Muqallid show any commentary of (a) Bukhari, (b) Mishkaat, (c) Muwatta Imaam Maalik, etc. written by one of them prior to the English occupation.

6. Prior to the above period the Ahnaaf had compiled numerous Fataawa Kitaabs such as 'Fataawa Aalimgiri', and such Kitaabs are even being used upto present day by Arabs and non-Arabs alike. However, was there any such comprehensive Fataawa Kitaabs compiled by any Mirzaae or Ghair-Muqallid prior to this era?

7. Prior to the above period the Ahnaaf had compiled numerous Kitaabs on the

Seerat (life) of Nabi (sallallahu alaihi wasallam), and such Kitaabs are even being used upto present day by Arabs and non-Arabs alike. However, was any Kitaab on the Seerat of Nabi (sallallahu alaihi wasallam) compiled by any Mirzaae or Ghair-Muqallid?

8. Can the Ghair-Muqallids present names such as Moulana Abdullah Ghannawi, Haafiz Muhammed Lakhnawi, that existed amongst them?

9. No Qaadiani or Ghair-Muqallid can present any Kitaab of theirs, which details the method of Salaat, which they had prepared even five minutes prior to the English occupation.

10. A Ghair-Muqallid Sheikh-ul-Hadith cannot present a Sanad (chain of narrators) from where he had attained the Ahaadith going right back to the Sihah Sitta, prior to the British invasion era.

11. Like there are numerous Masaajid that were built by Ahnaaf prior to the British occupation, like Shaahi Masjid Laahore, Masjid Delhi, etc., can the Ghair-Muqallids show any Masjid built by them during this period?

PART TEN

Answer the questions below from clear Saheeh Ahaadith.

1. According to you blood is Paak, from head to toe, it is not Na-Paak. Prove from a clear Saheeh Hadith that blood is Paak.

2. A person is performing his Salaat when suddenly in front of him a male and female dog come by copulating. Is his Salaat (a) valid or (b) not?

3. A person is performing his Salaat when suddenly in front of him his eyes fall upon a couple who are committing adultery. Is his Salaat (a) valid or (b) not?

4. A person's gaze falls upon (a) his own or (b) someone else's private parts whilst in Salaat. Is his (c) Salaat valid or (d) not?

5. A man's wife gives him a kiss whilst he is in Salaat. Is his Salaat (a) valid or (b) not?

6. A woman's husband gives her a kiss whilst she is performing Salaat. Is her Salaat (a) valid or (b) not?

7. A mother is performing Salaat when her child comes and urinates on her lap. Is her Salaat (a) valid or (b) not?

8. A mother is performing Salaat when her child comes and starts drinking milk from her breast. Is her Salaat (a) valid or (b) not?

9. Whilst a woman is performing her Salaat the pot on the stove is boiling over and the food is about to get burnt. Must she (a) break her Salaat and remedy the situation or (b) must she continue with her Salaat?

10. Whilst a woman is in Salaat, a dog is about to spill the milk. Must she (a) break her Salaat and save the milk or (b) must she continue with her Salaat?

11. Whilst a person is performing Salaat another person comes and steals his shoes. Must he (a) break the Salaat and give chase or (b) must he continue with his Salaat?

12. Whilst a man is in Salaat, the melodious singing of a Ghair Mahram (strange) woman reaches his ears, and he understands the meaning of what she is singing. Does his Salaat (a) break or (b) not?

13. Whilst a woman is in Salaat a child comes and grabs her head-scarf and throws it aside. Does her Salaat (a) break or (b) not?

14. Whilst a woman is in Salaat she is busy killing and throwing aside lice. Is her Salaat (a) valid or (b) not?

PART ELEVEN

What do the Ulama-e-Deen (Ghair Muqallideen) say about the undermentioned questions. Answer from a Qur`aanic Aayat or a clear Saheeh Hadith, otherwise your answer will be regarded as invalid and unacceptable.

1. Is Qurbani (a) Fardh, (b) Waajib, (c) Sunnat or (d) Nafl?

2. If Qurbani is none of the above, then are those Muhadditheen who have classified it (Fardh or Waajib) (a) Bid`atees or (b) not?

3. What are the conditions for the validity of Qurbani?

4. How much money must a person have over and above his basic essentials for Qurbani to be binding upon him?

5. What are those things that will be regarded as being essentials for a person, that they can be excluded when calculating the above?

6. Will one take into consideration the value of (a) a house, (b) shop, (c) bus (d) truck, or (e) only the revenue generated therefrom?

7. What is the Shar`i punishment that will be levied upon a person who does not make Qurbani, notwithstanding his ability to do so?

8. Is Qurbani valid with the slaughter of (a) a goat, (b) sheep, (c) cow or (d) camel that has (e) 4, (f) 6 or (g) 8 teeth?

9. Is it permissible to drink (a) the milk (b) cream of a cow (that is to be sacrificed)? Or (c) to eat the butter or (d) cheese etc. made from it?

10. Is it permissible to make Qurbani of a bull?

11. Will it be permissible to make (a) a Hanafi, (b) Deobandi or (c) Barelwi a partner (d) in one or (e) more shares when slaughtering a cow or camel?

12. (a) Will it be permissible to make Qurbani on the Day of Eidul Adha of a fowl? (b) How old must it be?

13. Is the Qurbani of the (a) eggs of fowls, (b) duck and (c) birds permissible?

14. (a) Is the Qurbani of a horse permissible? (b) If so then how many shares can be made therefrom?

15. Must the shares of a Qurbani animal be distributed (a) by weight or (b) estimation?

16. Can the meat of a Qurbani animal be given (a) to a Hanafi, (b) Deobandi, (c) Barelwi, etc?

17. If you have already read your Eid Salaat and made your Qurbani. Thereafter you hear that the Imaam did not have wudhu, when he performed the Salaat. Is your Qurbani valid?

18. Will your Qurbani be valid if a Hanafi slaughters it for you?

19. If one of the shareholders in a Qurbani animal does not perform Salaat. Will the Qurbani of the others be valid?

20. If more than 1/3rd of an animal's ear is cut, will it be correct to make Qurbani of such an animal?

21. Will it be correct to make Qurbani of an animal that was not born with ears?

22. Will it be correct to make Qurbani of an animal that had its tail cut off?

23. Will it be correct to make Qurbani of an animal that was born without teeth?

24. When laying the cow down for slaughtering, it bolts and by mistake its eye is pierced. Will it now be (a) valid or (b) not to slaughter this animal for Qurbani?

25. Can a person who did not perform his Eid Salaat (a) make Qurbani or (b) not?

26. (a) How many and (b) which veins must be cut when slaughtering? (v) Show this from a clear Saheeh Hadith.

27. (a) Who is eligible to receive the skin of a Qurbani animal? (b) Will it be permissible to give it to Hanafi Madressahs?

28. A person slaughters the Qurbani animal of another without taking permission. Later he compensates him. Will this Qurbani be (a) valid or (b) not?

<u>478 QUESTIONS IN TOTAL</u>

Translation edited by Mufti A.H. Elias

WHY FOLLOW ONE IMAAM OF FIQH ?

The meaning of Taqleed :

Literally means to be wearing a York. According to the Shariat it means to unconditionally accepting the view of a reliable, proper, authentic person in matters pertaining to Deen - Religion.

These days the one who follows any of the Mazhabs of the four great Imams of Jurisprudence, Imam Abu Hanifa (R.A) (80 - 150 A.H); Imam Idris Shafi (R.A) (150 - 240 A.H); Imam Ahmed bin Hanbal (R.A) (164 - 241 A.H); Imaam Malik (R.A) is classified and termed 'Muqaleed'.

Those who do not adhere to any of the four famous Mazhabs call themselves 'ghair Muqaleed' or 'Ahle - Hadith' or in some areas 'Salafi'.

The use of the word 'Imam':

The word 'Imam' as per the ideology explained by the 'Ahle Sunnat wal Jamaat' refers to the one who is an acclaimed, confirmed, reliable, proper and reputed scholar, guide and authority in Islaam. It does not refer to as some claim, to the person who receives Divine Revelation, or one who is Masoom (innocent) or one who can make Halaal - Haraam or vise versa or one who can abrogate the rules and regulation of Islaam, etc (Allaah protect us from such false beliefs which are kufr in nature).

The meaning of Mazhab:

Those who are viciously preaching against Taqleed pose this question to simple minded Muslims viz :- Are you Muhammadi or Hanafi ? The listener is completely confused and perplexed failing to realise that the Question itself is wrong. If someone has to ask, is it Monday or January ? Is this question in itself valid ? If someone has to ask, do you live in Durban (a city in KwaZulu Natal province) or Gauteng (another province) ? Is this question valid ? Note both these are invalid questions. One is supposed to ask to ask is it Friday or Saturday (this day or that day - not this day in comparison to a month).
On both sides of the equation there should be days e.g. Monday or Friday ? or both options must be concerning months e.g. is it March or April? Then the question is valid otherwise not and thus misleading.

Thus the question supposed to be , are you Hanafi or Shafi or Maaliki or Hanbali ? or are you Muhammadi (follower of Islaam) or a Jew ?, a Hindu ?or a Christian? Be cautious of this deception.

By adhering to any of the four Mazhabs one will be in the 'Ahle Sunnat wal Jamaat'. The four Mazhabs are from the 'Ahle Sunnat wal Jamaat'.

A summary of what Hadhrat Shah Waliullaah (R.A) states in 'Fayoosul Haramain' (p. 48)

I. Taqleeed was prevalent in the blessed era of the Sahaabah (R.A) and the Tabieen (R.A) without objection.

II. To follow the Mazhab -e- Araba (Hanafi, Maalik. Shafi. Hanbali) is following the "Sawad -e- Aazam" (the Lofty group of Truth), and to go outside the circle of Mazhab -e- Araba tantamount to going out of the "Sawad -e- Aazam", which is misleading.
III. After the second century. Taqleed of one person had commenced.
IV. This was a result of Ilhaam (inspiration).
V. It is Waajib upon the Ummat to make Taqleed of ONE of the Mazhab -e- Araba.
VI. Taqleed is Waajib upon a non- Mujtahid.
VII. There is religious wisdom, and many benefits in making Taqleed of one person.
VIII. I was advised by Rasulullaah (S.A.W) to stay within one of the Mazhab -e- Araba.
IX. Mazhab -e- Hanafia is in accordance with the Sunnah, the testimony of which Nabi (S.A.W) himself gave.
X. For the common man (non - Muqalid) it is Haraam to discard Taqleed for it begins the exit from the Circle of Islaam.

Who are the Ahle Sunnat wal Jamaat ?

Around us we see groups calling themselves by various names, Ahle - Quraan, Ahle - Hadith, Ghair Muqaleed, Salafi, Shia, Qadiani, Bidati, Zikri, and so on. Some in the fold of Islaam others definitely out of the fold of Islaam. Some have not entered Islaam, let alone to be then taken out of the fold of Islaam. Those adhering to any of the above stated are not in the Ahle Sunnat wal Jamaat.

All names of grouping have been derived and stipulated by their respective leaders and followers, only the name 'Ahle Sunnat wal Jamaat' has been specified and chosen for the Ahle - Haqq - The adherers of Truth by Nabi (S.A.W) himself.

In the commentary on the ayat that on the Day of Judgement, "the faces of those with Imaan will brighten up (shine)" Hadhrat Ibn Abass (R.A) narrates from Rasulullaah (S.A.W) that : "those are the Ahle Sunnat ." (Al - Kamil Libn Askiri Vol. 4 P.62)

In the tragedy of Karballa when Hadhrat Hassan (R.A) - the grandson of Nabi (S.A.W), who at that time was 63 years old, was surrounded and water supply was prevented from reaching him. Then he gave a sermon in which he clearly mentioned his plight and that Rasulullaah (S.A.W) stated :-

i. Hassan and Hussain are the coolness of the eyes of Ahle Sunnat wal Jamaat and
ii. Hassan and Hussain are the leaders of the youth in Janaat of Ahle Sunnat (Al - Kamil Libn Askiri Vol. 4 P.62)

Thus when the name 'Ahle Sunnat wal Jamaat' is chosen by Nabi (S.A.W), then one automatically knows the status, position and results of the other groups.

The Ahle Sunnat wal Jamaat are those conforming to the :-
1. The Quraan ;
2. The Sunnat ;
3. Qiyas (deduction by 'Shari' analogy) ;
4. Ijma (Consensus of the opinion).

The accusations of the ghair -Muqaleeds.

The ghair Muqaleeds in their frenzy and frantic utterances state that the Muqaleeds are Bidattis, indulging in Shirk and Kufr. They even go to the extent of criticizing and abusing the illustrious Imams of Jurisprudence, especially Imam Abu Hanifa (R.A).

Ibn Tayimah (R.A) states that the Ahle Sunnat Wal Jamaat are those who follow the Nass (Kitaab and Sunna) and Ijma. (Minhaj - Sunnat Vol.3 P.272)

Sunnat or Hadith ?

The ghair Muqaleeds also try to cause confusion amongst the simple ignorant masses by quickly questioning, are you following the Hadith of Rasulullaah(S.A.W) or Sunnat ? The listener is made to believe that :-

1. that the "Hadith" only is from Rasululaah (S.A.W) by leaving out the word "Rasulullaah" (S.A.W) "after Sunnat" ; the correct question should be, do you follow Hadith of Rasulullaah(S.A.W) or Sunnat of Rasulullaah (S.A.W) ?
2. that the Sunnat is something else.

So if he says Sunnat, the simple listener feels he may be disrespecting and discarding Hadith of Nabi (S.A.W).

Whereas one must fully understand :

1. that the Sunnan of Rasulullaah (S.A.W) contains the Ahadith (sing- Hadith);
2. that the Hadith does not encompasses the entire Sunnat of Rasulullaah (S.A.W);
3. that by acting only on the Hadith one will not be acting on a complete Deen ;
4. that by acting only on the Sunnan one will act on the complete Deen.

Understand the above well and do not be misled.

Sunnan first ? or Ahadith first ? or Mazhab first ?

The ghair Muqaleeds claims that by adhering to any of the Mazhabs one is not following the Ahadith and the many ignorant amongst them proclaim that by following the Sunnat one discards the Ahadith. This is the result of ignorance mixed with arrogance.
Once one understands the carnological (historical) sequence of law making, codification of rules, systematising of principles of jurisprudence, compilation of Ahadith,etc then one will easily comprehend what came first and why.

Nabi (S.A.W) preached, propagated the Deen. The principles of Deen were completed, perfected in the era and time of Nabi (S.A.W). Islaam was chosen as the Deen approved by Allaah.

“Today I have completed for you the Deen, and competed My favour upon you and chosen Al - Islaam as your Deen.” (5/3)

‘In the sight of Allaah only Islaam is accepted’ (13/19)

Nabi (S.A.W) left behind the Kitaabullaah and the Sunnat (Mustadrakh Hakim Vol.1. p.93) and the Sahaabah (companions) who were living examples of Islaam. Whom Allaah is happy with (Surah Taubah- 100) and Rasulullaah (S.A.W) classified them as criterion for Islaam and non- Islaam, good or bad, truth or false etc - ‘Hold fast to my Sunnat and the Sunnat of the Khulafa Rashedeen ’ (Mustadrak - vol 1. P. 96) (Tirmidhi vol.2 p.92) (Ibn Maja p. 5) (Abu Dawwod vol.2 p. 279). In another it is recorded, ‘wa Hiyyal Jamaat’, (Abu Dawood - Vol 2. P 275), (Mustadrak Vol 1. P 128.)

“My Sahaabah are like stars whomsoever you follow, you will be rightly guided.” (Mishkat p. 554)

Islaam began to spread far and wide.

Thus two periods past, the period of Nabi (S.A.W) and the period of Sahaabah.(R.A)

During the latter time of the Sahaabah (R.A), Imam Abu Hanifa (R.A) grew up and met Sahaabah (R.A) also. In this era, the compilation of jurisprudence, the systematic settings of laws, rules, regulations, on every subject of Deen, the arguments of jurisprudic principles were codified -(later completed by his students and the other Imams of Fiqh (jurisprudence)) - the deliberation of every aspect of life, be it political, social, economical, took place. All this was done in the light of Quraan and Sunnan - because Sahaabah (R.A) and Tabieen (followers of the Sahaabah (R.A)) were daily narrating Ahaadith and reading Quraan. This was not done from here say or from the air, or by following whims and fancies as the ghair Muqaleeds propagate viciously. In the time of Imam Abu Hanifa (R.A), a chosen group of 40 top ranking Ulema should discuss, deliberate and contemplate each law, rule and regulation before it was noted in registers. Deliberation from every angle would take place to reach decisions.+- 1.3 million Masail were listed. The other great Imams of Fiqh followed. (See table A) At this stage there was no official compilation of Ahaadith.

TABLE A :-

HADHRAT IMAAM HANIFA (R.A)	**80 AH - 150 AH**
HADHRAT IMAAM MAALIK (R.A)	**91 AH - 177 AH**

HADHRAT IMAAM SHAAFI (R.A)	**150 AH - 204 AH**
HADHRAT IMAAM HANBAL (R.A)	**164 AH - 241 AH**

Then, the Imams (Authorities) on Ahaadith began their tedious, tremendous and marvellous task of compilation and codification of the Ahaadith. (See table B)

TABLE B :-

IMAAM BUKHARI (R.A)	**194 A.H - 256 A.H**
IMAAM MUSLIM (R.A)	**204 A.H - 261 A.H**
IMAAM IBN MAJA (R.A)	**209 A.H - 273 A.H**
IMAAM ABU DAUD (R.A)	**202 A.H - 275 A.H**
IMAAM TIRMIDHI (R.A)	**209 A.H - 279 A.H**
IMAAM NISAI (R.A)	**215 A.H - 303 AH**

Thus we see and observe 4 periods :-

1. The era of Rasulullaah (S.A.W)
2. The era of Sahaabah (R.A)
3. The era of Imams of Fiqh (R.A)
4. The era of Imams of Ahaadith (R.A)

There were many Imams of Fiqh but four survived. These four reached us because firstly, they were codified properly, secondly they had students prepared to continue the transmission of the 4 Mazhabs, thirdly Allaah desired so, fourthly the 4 Mazhabs contain the entire life of Rasulullaah (S.A.W).

Once proper classification, codification and systemisation of the laws compiled by an Imam of jurisprudence took place, then a Mazhab came into existence named after its founder.

Thus the Sunnat came first followed by the Mazhabs which elucidate and explained the Sunnat in detail, then the complication of the Ahaadith. (Allaah reward each group as they deserve, Allaah is All Knowing.)

Questions to confuse

The Ghair Muqaleeds raise many questions so forcefully that the lay man becomes bewildered and confused. These are :-

1. Show me Taqleed in the Quraan ?
2. Show me Taqleed in the Hadith ?
3. Show me Taqleed in the time of Rasulullaah (S.A.W) ?
4. Show me Taqleed in the time of Hadhrat Abu Bakr (R.A) ?
5. Show me Taqleed in the time of Hadhrat Umar (R.A) ?
6. Show me Taqleed in the time of Hadhrat Uthman (R.A) ?
7. Show me Taqleed in the time of Hadhrat Ali (R.A) ?
8. Which Mazhabs did the Sahaabah (R.A) follow ?
9. Hadhrat Mahdi will follow which Mazhab ?
10. Hadhrat Isa (A.S) will follow which Mazhab ?

The common man on hearing these becomes dumb founded and now begins to doubt his adherence to any Mazhab. We will Insha - Allaah, step by step answer all the above. Read carefully, memorise well and remember that the Ahle Sunnat wal Jamaat are on Haqq (Truth).
We will provide basically two examples of each. For further information see our first book. i.e. "Taqleed made Easy."

Taqleed in the Quraan

1. Allaah says : **" ask the people who know, if (when) you do not know."** (Nahl - 43/ambiyaa).

This is the general rule in every walk of life. Moreover, when one is sick then one does not go to the mechanic, also when the car requires repairs one does not go to the doctor to have it attended to. There is a broad division of separation of responsibility. These days we know that heart patients go to the cardiologist, whilst the orthopaedic surgeon attends to bone problems, while the paediatrician cares for the ailments of children. So in one field of medicine, there is also further specialisation. Thus the cardiologist will not do the work of the orthopaedic surgeon and so on.

Similarly in the field of Deen one cannot go to anyone or every one. One cannot place reliance on the ignorant and blind to lead the way. Deen is more important, for it means either success or disaster in this world and the Aakhiraat.

The piety, righteousness, reliability, authoritive nature and Ilm of the Imams of Jurisprudence is acclaimed and proven beyond a shadow of doubt. We, Muqaleeds, have placed our confidence in the fields of Ilm, as per instruction of the Quraan "ask the people of knowledge (who know), if you do not (know)", i.e. "the Imams of Jurisprudence."

2. Allaah says : " **follow and obey Allaah and obey the Rasul, and those in authority amongst you."** (Nisaa - 89)

The commentators of the Quraan state concerning "and those in authority amongst you" that:-

1. In the best of times the rulers of the Muslim empire were also the supreme authority in Deeni affairs also, like the rule of Hadhrat Abu Bakr (R.A), Hadhrat Umar (R.A), Hadhrat Uthmaan (R.A), Hadhrat Ali (R.A), Hadhrat Muawiya (R.A).

   They ruled as political administrators of the empire and their decisions concerning Islaamic Deeni matters were decisive and conclusive.

2. However due to the rulers becoming less knowledgeable in Deen, two separate departments arose :-

   a.) one for the rulers who controlled the political infra structure;
   b.) one for Ulema who gave direction in every aspect of the empire and provided religious guidelines to the ruled and rulers.

3. Nevertheless, the authorities in Deen were held higher in status and position than the rulers. The decision of the Ulema will be final to all, the ruled and the rulers.
   (Vol. 2 p. 210 - Akaam ul Quraan Abu Bakr Jassass).

Allaah is ordering us to obey the authorities in Deen. In both ayats, Allaah is not ordering us to commit kufr, shirk and bidat. So the concept to follow anyone other than Allaah and His Rasul (S.A.W) is kufr, etc is definitely false.

Taqleed in the Ahaadith

1. Nabi (S.A.W) when mentioning the group on Salvation stated "that which I am upon and that which my Sahaabah (companions) are upon." (Maktubat -e- Imam -e- Rabbani vol.1 p. 102 ; Tirmidhi Vol2. P89 ; Mustadrak Vol1 P 129; Mishkaat Vol 1 P 20).

Here Nabi (S.A.W) is classifying the "criterions for salvation" in all the worlds as the Sahaabah (R.A). They should be followed. By following them no kufr, shirk, bidat is committed. Besides following only Allaah and His Rasul, adherence to others is proven.

2. Nabi (S.A.W) said to a woman who enquired that on his demise who should she follow. The blessed reply was Abu Bakr. (Mishkhat vol.2. p.555, Muslim vol.2 p. 273, Bhukhari vol. 1. p. 516) On further enquiry she was told to follow Umar after Abu Bakr.

3. "Follow Abu Bakr and Umar after me." said Rasulullaah (S.A.W) - (Tirmidhi vol.2 p. 207, Ibn Maja p.10 , Mustadrak vol.3 p.75, Mishkaat Vol 2 p 50, Musnad Ahmed Vol 5 P 38).

4. "I am pleased for you concerning that thing which Abdullaah bin Masood is pleased with " stated Nabi (S.A.W). (Mustadrakh. Vol.2 p.319) The Taqleed of Abdullaah bin Masood (R.A) is called for by Nabi (S.A.W). - The basis of Hanafi Fiqh is Hadhrat Abdullaah bin Masood (R.A)

Is Nabi (S.A.W) ordering his Ummat towards kufr, shirk, bidat. (Allaah forbid and save us from the ignorant ones.)

Taqleed in the life time of Rasulullaah (S.A.W)

1. When Hadhrat Maaz ibn Jabal (R.A) was sent to Yemen (Abu Dawood, vol.2. p. 149, Majmal Zawaid - vol.2 p. 451, Bukhari - vol. 2 p.997), then the people of Yemen followed him, made his Taqleed in all matters. Matters pertaining to mundane affairs and issues concerning devotional practices also. Definitely rules and principles of Deen were not completed by then. So Hadhrat Maaz(R.A) utilized the facility of deduction by analogy within the Shariat, which the ghair Muqaleeds deny and reject. Whilst Hadhrat Maaz (R.A) was in Yemen and if a new problem or situation arose, how was the decision made?

   In those days there was no sound transmission system, hi-tec transmitters, radios, satellite, e mail, cell - phones to contact Masjid -e- Nabawi (S.A.W) .

   Did the people of Yemen commit kufr, shirk, bidat by making Taqleed of Hadhrat Maaz bin Jabal (R.A)?

   Did Nabi (S.A.W) send Hadhrat Maaz (R.A) so that the people be involved in kufr, shirk, bidat ?

   This Taqleed was taking place in the life time of Nabi (S.A.W).

2. Similarly, Nabi (S.A.W) sent Hadhrat Musaib bin Umayr (R.A) as the first teacher to Madinah at the request of the Madinates after the pledge of Aqaba. (His grave lies along that of Hadhrat Hamza (R.A) in the graveyard of Uhud).

   Whist Hadhrat Musaib (R.A) was in Madinah, who did the people follow?

   Did Nabi (S.A.W) send Hadhrat Musaib (R.A) to teach and to be followed or just to teach ?

   How could Hadhrat Musaib (R.A) contact Nabi (S.A.W) in Makkah if a new situation arose ?

   Did Nabi (S.A.W) send Hadhrat Musaib (R.A) so that the people of Madinah may indulge in kufr, shirk, bidat ?

   Did the people of Madinah, by making the Taqleed of Hadhrat Musaib commit kufr, shirk, bidat ?

   This also took place in the lifetime of Nabi (S.A.W).

   In both cases, we observe Taqleed being made of another person during the lifetime of Nabi (S.A.W), let alone after his demise.

TAQLEED OF THE FOUR IMAAMS

QUESTION: Did Rasulullaah (sallAllaahu alaihi wasallam) give an order to follow any of the four Imaams of Mazhab?

What an erroneous question! The question should be phrased thus *"Which proof from amongst the four valid proofs in the Shariah indicates making Taqleed of any of the four Imaams?"* From where did the leader of the 'Mas`oodi sect' concoct such an silly and ignorant question? Firstly, one should understand the following: the basis of the Rawaafidh (Shia) sect's Aqeedah (beliefs) is that their 'chosen Imaams' are from Allaah Ta`ala, just as the Ambiyaa (alaihi salaam) are chosen by Allaah Ta`ala. The question put to them from the Ahle Sunnat Wal Jamaat, is *"Just as the names and mantles of prophethood of the Ambiyaa are clearly given in the Qur`an Shareef and Ahadith, similarly, you should prove from the Qur`aan Shareef and Ahadith the mantle of Imaamat of your twelve Imaams, which you claim to have been given by Allaah Ta`ala."*

This question of the Ahle Sunnat Wal Jamaat is completely correct and appropriate, because it is in conformity to their claim. However, the Rawaafidhis are 100% helpless in presenting an answer to this question, and they will remain helpless until the day of Qiyaamah, Insha-Allaahul Azeez.

Now, to hide their inability in presenting an answer to the question, they present such silly counter-questions, such as *"You show us your proof of making Taqleed of the four Imaams!"* This question is completely inappropriate, because the Ahle Sunnat Wal Jamaat does not hold belief in the four Imaam Imaams as do the Shias of their twelve Imaams. Nevertheless, the Ahle Sunnat Wal Jamaat says to them: *"Your question is based on lies. Firstly, you should prove from our reliable Kitaabs that we believe that the four Imaams are also chosen by Allaah Ta`ala."* However, they cannot substantiate their false claim. Their question has no relevance to our claim.

The founder of the 'Mas`oodi sect' also held similar beliefs as the Rawaafidhis, that the Imaams are chosen by Allaah Ta`ala, hence he seeks from us proof for the four Imaams from Qur`aan Shareef and Ahadith. Our reply to him is the same as it is to the Rawaafidhis: *"Firstly you should prove, from our reliable Kitaabs, that we hold the same beliefs regarding our Imaams as you hold regarding your twelve Imaams. Since your belief is that the twelve Imaams are specially chosen by Allaah Ta`ala, it follows that, you must be able to present reliable proof from the Qur`aan Shareef and Ahadith that they are as such and that an order has been given for us to follow them and accept them."*

Also, those whom you (Ghair Muqalliddeen) accept as being (valid) Imaams, like Imaams Abdullaah bin Mubarak, Shafi, Daar Qutni, Baihaqi, Ahmed bin Hambal, Yahya bin Adam, Abu Haatim and Haakim (rahmatullahi alaihim), in which Hadith has Nabi (sallAllaahu alaihi wasallam) given an order to follow them?

If rejection of Taqleed is based on this premise, that Nabi (sallAllaahu alaihi wasallam) has not expressly sanctioned the Imaams, then tell us, the seven different types of Qiraat of the Qur`aan Shareef, which is accepted throughout the Islaamic world; in which authentic Hadith are all these different types and their correct recitals stated?

If anyone from your sect has an eighth Qiraat, then present an authentic Hadith, which has an unbroken chain of narrators to substantiate it. Or are you going to reject the recital of the Qur`aan Shareef also upon this principle of yours?

If rejection of Taqleed is based on this premise, that the names of the four Imaams are not stated in any Hadith, then tell us, does the names of Imaams Bukhari, Muslim, Tirmidhi, Abu Dawood, Nisai and Ibn Maajah (rahmatullahi alaihim), appear in any of these six **Authentic Kitaabs of Hadith**? If not, then according to your logic, these personalities and their Kitaabs should also be rejected.

Show us from an authentic Hadith, that Rasulullaah (sallAllaahu alaihi wasallam) has forbidden the following of the four Imaams of Fiqh.

TAQLEED DURING THE ERA OF THE SAHABAH (radhiAllaahu anhum) AND THE TAABI`EEN (rahmatullahi alaihim)

QUESTION: Whose Taqleed did the Muslims that existed prior to Imaam Abu Hanifah (rahmatullahi alaihi) make?

ANSWER: ***"And it is not (proper) for the believers to go out to fight (Jihaad) all together. Of every troop of them, a party should go forth, that they (who are left behind) may get instructions in (Islaamic) religion, and that they may warn their people when they return to them, so that they may beware (of evil)."*** [Surah Tawbah, Aayat 122]

From this Aayat of the Qur`aan Shareef, we note that Allaah Ta`ala deemed it inappropriate that all the Sahabah (radhiAllaahu anhum) go out for Jihaad. From every group amongst them, a few must remain behind and acquire Deeni knowledge. When the others (who went out on the Jihaad expedition) return, then those who remained behind, should educate them.

In this Aayat, the word *"Taa`ifah"* (group), could apply to one person, two persons or many people. *"And 'Taa`ifah' is a noun which refers to one, two or more."* [Noorul Anwaar, page 177].

The second word in this Aayat, is *"Fiqh"*. Its meaning is *"To split / open"* [Kasshaaf/ Shaami]. That is to open up the meanings. Some Masaa`il are such that the meaning and import is clearly denoted in the literal text, whereas some Masaa`il are such that their meaning and import is to be extracted by analogy and investigation.

It is apparent that there existed two groups from amongst the Sahabah (radhiAllaahu anhum). One was the small group of Fuqaha, which comprised of some persons from each tribe. They acquired the knowledge of Fiqh and imparted it to others. Nabi (sallAllaahu alaihi wasallam) used to encourage this group by saying: *"He for whom Allaah Ta`ala wishes good, HE grants him Fiqh (understanding) in Deen."* [Bukhari].

For whoever Allaah Ta`ala wishes good, HE makes that person a Faqhi. A Faqhi is one who makes Ijtihaad and Istinbaat (analogy and investigation). A Faqhi is ***not*** a Nabi nor is he sinless. Nabi (sallAllaahu alaihi wasallam) used to encourage them and say that they were receiving reward from Allaah Ta`ala in all conditions. If they were correct in their judgements, then they would receive double reward and if they erred then they would receive one reward. [Bukhari]. Therefore what reason was there for them to fear? There was another large group of Sahabah (radhiAllaahu anhum) who remained in the service and presence of Nabi (sallAllaahu alaihi wasallam).

Rasulullaah (sallAllaahu alaihi wasallam) used to send these Faqhis into their tribes and their people used to ask Mas`ala Masaa`il from them. This is called **TAQLEED.** There appear thousands of Masaa`il and Fataawa from these Fuqaha Sahabah (radhiAllaahu anhum), which are reported in Kitaabs such as *"Musannif Abdur Razzaaq", "Ibn Abi Shaibah",* etc. In these Kitaabs **only** the Mas`alas are reported. No mention is made of the proofs. There were also no objectors or sceptics to these Masaa`il. All these Masaa`il are reported with numerous narrators from amongst the Sahabah (radhiAllaahu anhum). It is therefore apparent that even the Sahabah (radhiAllaahu anhum) consented and approved these Masaa`il. **TAQLEED** was practised during the era of the Sahabah (radhiAllaahu anhum), and there was ***not a single Ghair Muqallid.*** It is ascertained from the kitaabs of history that at least one person was sent from every tribe to acquire knowledge, and the entire tribe would seek Fataawa and rulings from this one person. This is known as **TAQLEED-E-SHAKHSI.**

Hadhrat Shah Waliullaah (rahmatullahi alaih) states: *"The Sahabah and Taabi`een were not all of the same rank and standing. In fact some of them were Mujtahid and others were Muqallid."* [Qurratul Ainain, page 251].

Rasulullaah (sallAllaahu alaihi wasallam) sent Hadhrat Ma`aaz (radhiAllaahu anhu) to Yemen, where he applied Ijtihaad to solve many Masaa`il. The entire population of Yemen, made **TAQLEED-E-SHAKHSI** of Hadhrat Ma`aaz (radhiAllaahu anhu). There is absolutely no record of any person who was a Ghair Muqallid at that time or someone

who objected to this set-up.

Whenever Hadhrat Abu Bakr (radhiAllaahu anhu) gave a Fatwa, he made it clear that it was ***his*** Ijtihaad and view [Jaami`u Bayaanul Ilm, page 51, vol.2]. The people followed these rulings of Hadhrat Siddeeq-e-Akbar (radhiAllaahu anhu). This is known as **TAQLEED.** There is ***no*** mention made in any Kitaab about even one objector or rejecter of this.

Hadhrat Umar (radhiAllaahu anhu) also gave Fataawa from ***his*** Ijtihaad and view [Mizaanul Kubra Li Sha`rani, page 49, vol.1]. He sent a message to his judges that they also make Ijtihaad when passing a ruling (which was not clearly found in the Qur`aan Shareef, Ahadith or amongst the senior Sahabah) [Jaami`u Bayaanul Ilm, page 56, vol.2]. There is ***no*** mention made in any Kitaab about even one objector or rejecter of this.

Hadhrat Uthmaan (radhiAllaahu anhu) took pledge of Khilaafat, on the condition that he follow (make **TAQLEED**) of the previous Khalifahs. [Sharah Fiqh-e-Akbar, page 79].

Hadhrat Ali (radhiAllaahu anhu) used to say *"I am making Ijtihaad on my view."* [Ibid].

Hence, many of the Fataawa of the Khulafah-e-Rashideen appear in *"Musannif ibn Abi Shaibah"*, wherein no mention is made of their proofs, nor was there ever any objectors or rejecters, neither did any of the followers seek proof. This is known as **TAQLEED.**
Just as there is no name, mentioned anywhere, of any Ghair Muqallid that existed during the 23 years of Nabuwwat, so too is there no name of any person who was a Ghair Muqallid during the entire 30 years of Khilaafat-e-Raashida.

Hadhrat Imaam Ghazali (rahmatullahi alaih) states that **TAQLEED** is proven from the Ijma of the Sahabah (radhiAllaahu anhum), because they used to give Fataawa to the masses (for which they provided no proofs). They did not order the masses to make their own Ijtihaad. [Al-Mustasfa, page385, vol.2].

Hadhrat Shah Waliullaah Muhaddith Dehlwi (rahmatullahi alaih) states: *"Then the Sahabah dispersed into the villages/cities/countries. Each one of them became the 'Muqtada' (one who is followed) of these respective places."* He also mentions that these Sahabah (radhiAllaahu anhum) used to pass Fataawa from their own Ijtihaad and views. [Al-Insaaf, page 3].

The inhabitants of Makkah Mukarrama used to make **TAQLEED-E-SHAKHSI** of Hadhrat Abdullaah ibn Abbaas (radhiAllaahu anhuma). Many of his Fataawa are listed in *"Musannif Abdur Razzaaq" and "Musannif Ibn Abi Shaibah".*

The Fataawa of Hadhrat Zaid bin Thaabit (radhiAllaahu anhu) was followed in Madinah Munawwarah. Whatever Fatwa he gave he used to say: *"This is **my** view."* [Jaami`u Bayaanul Ilm, page 58, vol.2].

The Fataawa of Hadhrat Anas (radhiAllaahu anhu) was followed in Basra. Many of his Fataawa are also stated in *"Musannif Abdur Razzaaq" and "Musannif Ibn Abi Shaibah",* where no proofs are mentioned. The inhabitants of Basra used to follow him to the letter without any objections and they made **TAQLEED-E-SHAKHSI** of him.

The Fataawa of Hadhrat Abdullaah bin Mas`ood (radhiAllaahu anhu) was followed in the Daarul Uloom of Kufa. He used to give Fataawa from the four sources of Fiqh (Adilla Arba`a) [Nisai, page 264].
In most of his rulings he used to say: *"I am giving this ruling according to my view."* [Jaami`u Bayaanul Ilm, page 58, vol.2].
Many of his Fataawa are mentioned in the Kitaabs of Hadith. His Masaa`il are given without mentioning any proof, and everyone followed him without any objection. This is known as **TAQLEED-E-SHAKHSI.**
The Fataawa of Hadhrat Abu Darda (radhiAllaahu anhu) was followed in Damascus. Whatever Fatwa he gave he used to say: *"This is **my** view."* [Jaami`u Bayaanul Ilm, page

58, vol.2]. Many of his Fataawa are mentioned in the Kitaabs of Hadith. His Masaa`il are given without mentioning any proof.
It is evident that the era of the Sahabah and the Taabi`een was an era where Ijtihaad and **TAQLEED** was the order of the day. There was not even one Ghair Muqallid present in that era.

Hadhrat Shah Waliullaah Muhaddith Dehlwi (rahmatullahi alaih) states: *"From amongst the Taabi`een, every Aalim had his own Mazhab, and he was an Imaam. In every locality an Imaam of a Mazhab was established."* [Al-Insaaf, page 6]. That is in every locality, the people followed that Imaam. This is known as **TAQLEED-E-SHAKHSI.**

Hadhrat Shah Waliullaah Muhaddith Dehlwi (rahmatullahi alaih) states: *"When there was a difference of opinion between the views of the Sahabah or the Taabi`een in any Mas`ala, then every Aalim of a particular locality would make a ruling which was applicable for that particular place."* [Ibid, page 7]. This is known as **TAQLEED-E-SHAKHSI.**

During the era of the Taabi`een, many people used to go to Makkah Mukarrama for Hajj. The Khalifah of the time would make the following announcement: *"No one is to pass a Fatwa except these two Imaams" (Hadhrat Ata bin Abi Rabaah and Hadhrat Mujaahid (rahmatullahi alaihima).* Thousands of the Fataawa passed by these two personalities appear in "Musannif Abdur Razzaaq" and "Musannif Ibn Abi Shaibah". There are no proofs which are mentioned with these rulings. All the Taabi`een and the Tab`e Taabi`een (rahmatullahi alaihim) used to practice upon these Masaa`il, without any objection or question.

Hadhrat Shah Waliullaah Muhaddith Dehlwi (rahmatullahi alaih) states: *"How could there be any objection to this **Taqleed**, when the practice of Muslims seeking Fataawa was in practice from the time of Nabi (sallAllaahu alaihi wasallam). And there is no harm in that Fataawa are always sought from one person only (***TAQLEED-E-SHAKHSI),** *or that Fataawa are sought from others. This practice of seeking Fataawa and practising thereupon, is authenticated by consensus (Ijma)."*

Khalifah Abdul Malik sought the names of the Ulama in the various cities during his era, from Hadhrat Ata and Zuhri (rahmatullahi alaihima). They enumerated the following:

I. Hadhrat Ata bin Abi Rabaah in Makkah Mukarrama
II. Hadhrat Naafi Mowla ibn Umar in Madinah Munawwarah
III. Hadhrat Hassan Basri in Basra
IV. Hadhrat Ebrahim Nakha`i in Kufa
V. Hadhrat Taawoos in Yemen
VI. Hadhrat Yahya bin Abi Katheer in Yamama
VII. Hadhrat Makhool in Shaam
VIII. Hadhrat Maimoon bin Mehraan in Iraq
IX. Hadhrat Dahaak in Khuraasaan

These were the Fuqaha of these cities [Ma`rifatul Uloomul Hadith, page 198]. In every city, the inhabitants made **TAQLEED** of a particular person. Many of their Fataawa, without proofs are mentioned in "Musannif Abdur Razzaaq" and "Musannif Ibn Abi Shaibah". It is apparent that these personalities gave Fataawa without explaining the reasons and proofs thereof. Their followers practised thereupon without seeking any proofs. This is known as **TAQLEED-E-SHAKHSI.**

Hadhrat Shah Waliullaah Dehlwi (rahmatullahi alaih) reports from Sheikh Izzud Deen bin Abdus Salaam (Rahmatullahi alaih): *"All the people from the time of the Sahabah until the era of the four Imaams used to make **TAQLEED,** and no prominent and reliable person ever objected to this. If this (**TAQLEED**) was Baatil (false), then the Sahabah or the Taabi`een would most surely have objected to it.2* [Aqdul Jayyid, page 36].

Imaam Muzni (rahmatullahi alaih) states: *"All the Fuqaha, from the time of Nabi (sallAllaahu alaihi wasallam) upto the present time, have been making Qiyaas in Deeni matters. They have reached a consensus that the Haqq is theorised and parallelled upon Haqq, and Baatil upon Baatil."* [Jaami`u Bayaanul Ilm, page 66, vol.2]. To comply with the Fiqhi rulings of the Fuqaha, is known as **TAQLEED.**

The summary of the foregoing is that **TAQLEED** of the Fuqaha and the Mujtahiddeen, has been practised upon by this Ummat from the time of Nabi (sallAllaahu alaihi wasallam). To reject this is to reject the unbroken chain of narrators, via whom this information reached us. There is no Kitaab of Hadith which was compiled by any Sahabah or Taabi`een, which exists today. Yes, the Hadith Kitaabs which exist today have been compiled by those who came after the Sahabah and the Taabi`een, and these Kitaabs are being used as references. For example, we say: *"Narrated by Bukhari"*, *"Narrated by Muslim"*, etc. Whereas, prior to the coming of the Sihah Sitta (six authentic Kitaabs of Hadith), no one mentioned: *"Narrated by Bukhari"* or *"Narrated by Muslim"*.

There does not exist today a complete set of any of the Fataawa of any Sahabi or Taabi`e, which is authentically reported. Yes, the four Imaams of Fiqh have based their respective Mazaahib upon the Fataawa of the Sahabah and the Taabi`een. Hence, nowadays we say, in substantiation of a Mas`ala: *"Imaam Abu Hanifah (rahmatullahi alaih) said.."* or *"Imaam Shafi (rahmatullahi alaih) said..."*

NOTE:

Some of the derivative Masaa`il are such that there exists a consensus of opinion of the Sahabah (radhiAllaahu anhum). There also exists a consensus of opinion of all four the Imaams. There are some Massa`il upon which there exists a difference of opinion between the Sahabah (radhiAllaahu anhum), and the four Imaams have each taken a certain aspect (of this difference) and included it into his Mazhab (in this way every action of Nabi (sallAllaahu alaihi wasallam) is being practised upon by this Ummat).

AND ALLAAH TA`ALA KNOWS BEST (From P-10, till here from Moulana Muhammad Ameen Okarvi) "from Majmul Rasail ".

Nabi (S.A.W) passes away :

Nabi (S.A.W) passed away. Sahaabah (R.A) gathered at Bani Thakifa to deliberate who is to be the successor. Most of those gathered where from amongst the Ansaar (Madinites). Hadhrat Abu Bakr (R.A) and Hadhrat Umar (R.A) reached there. Various suggestions and propositions were in the air. An Ameer from the Ansaar, or from the Muhajireen or half a year from the Ansaar and the other half from the Majahireen on rotation basis were proposed.

Hadhrat Umar (R.A) delivered a most historical short sermon which saved the day and stabilised the future course of Islaam.

He said : In Islaam we have four ibaadaats (devotional activities), Salaat, Hajj, Saum and Zakaat. Two of the above are rendered in congregation, Salaat and Hajj. For these two Nabi (S.A.W) deputed in his blessed life only one person as his deputy, who is Abu Bakr. [the first official Hajj Ameer was Hadhrat Abu Bakr (R.A) , Hadhrat Ali (R.A) was sent later to make certain proclamations] and Hadhrat Abu Bakr (R.A) led in the time of Nabi (S.A.W) 17/18 Salaat. Thus whom Nabi (S.A.W) chose to be head (Imam) in his lifetime, we should choose the same after Nabi (S.A.W)'s demise. (Majmul Zawayid - vol.2 p.246)

All accepted. No objection were raised. The matter was resolved. Hadhrat Abu Bakr (R.A) was elected Khalif by unanimity. Historically no one can dispute it or chance it. Hafiz ibn Hajr Askalani (R.A) says that there is no better example in Shariat of Qiyas - deduction by analogy than the one presented by Hadhrat Umar (R.A).

The question arises which clear cut, categorical Hadith, Hadhrat Umar (R.A) used to propose the name of Hadhrat Abu Bakr (R.A). He used Qiyas.

Does this make Hadhrat Umar (R.A) a denier or rejecter of Ahaadith?

Did Hadhrat Umar (R.A) be involved in kufr, shirk, or bidat ?

All those who accepted and acknowledged his Qiyas, were they also involved in kufr, shirk ?

Where are ghair Muqaleeds going to ?

If the ghair Muqaleeds reject Qiyas, then by Qiyas Hadhrat Abu Bakr (R.A) became Khalif, so they will have to reject the Khilafaat of Hadhrat Abu Bakr (R.A).

The Sahaabah (R.A) in electing Hadhrat Abu Bakr (R.A) made Taqleed of one person Hadhrat Umar (R.A) proving the permissibility of following someone other than Allaah and His Rasul (S.A.W). For Umar (R.A) clearly is from "amongst those in authority amongst you"

Taqleed in the time of Hadhrat Abu Bakr (R.A)

1. Collection and compilation of Quraan.

During the battles against the claimants of false prophethood and the people who betrayed Islaam, a great number of Huffaz were martyred, specially in the battle of Yamama. Hadhrat Umar (R.A) feared that if such a state of affairs prolonged, a good portion of the Quraan may be lost. He brought it to Hadhrat Abu Bakr (R.A)'s notice and suggested that the collection and compilation of Quraan must be given a serious thought. At first Hadhrat Abu Bakr (R.A) did not take it seriously with the remarks : "A task which Nabi Muhammad (S.A.W) did not undertake, how can I do it."
Hadhrat Umar (R.A) said : "This is a good feat."

And Umar (R.A) repeated his request. Abu Bakr (R.A) realised that it is an important task. He therefore, put Zaid bin Thabit (R.A) on duty to collect Quraan since he was one of the persons who used to write down the divine revelations of Quraan. At first instance he also hesitated. But later, he realised its importance. After that he, with great care and efforts, collected scattered portions of it and compiled it in the shape of a book. (Bukhari vol.2. p. 45)

Due to the above Hadhrat Abu Bakr (R.A) is called 'Jame -e- Quraan'. This tremendous service to Islaam was done by no one other than Hadhrat Abu Bakr (R.A).

Those who speak ill of Hadhrat Abu Bakr (R.A) are thus:-

I. deprived from gathering the entire Quraan in their hearts as they have no Hifz intentions and do not perform Taraweeh at all;

II. they are not from the Ahle - Sunnat - wal - Jamaat ;
III. they do not perform the complete Taraweeh Salaat ;
IV. they directly reject Qiyas of Hadhrat Abu Bakr (R.A)
(Allaah guide them and protect us).

Whist making the decisions to compile the Quraan officially which Hadith of Rasulullaah (S.A.W) did Hadhrat Abu Bakr (R.A) use ?

Did he commit kufr, shirk, bidat by using his faculty of reason as per demand of situation ?

Therefore did the people who followed him also commit kufr, shirk, bidat ?

Those thousands of Sahaabah (R.A) who witnessed this entire proceeding did they also commit kufr, shirk or bidat ?

Then those who deny and reject the validity of Hadhrat Abu Bakr (R.A)'s act still accept the validity of the result i.e. the present Quraan ?

Yes, the Shias reject the validity of Quraan which is the compilation of Hadhrat Abu Bakr (R.A) .

Whenever Hadhrat Abu Bakr (radhiAllaahu anhu) gave a Fatwa, he made it clear that it was ***his*** Ijtihaad and view [Jaami`u Bayaanul Ilm, page 51, vol.2]. The people followed these rulings of Hadhrat Siddeeq-e-Akbar (radhiAllaahu anhu). This is known as **TAQLEED.** There is ***no*** mention made in any Kitaab about even one objector or rejecter of this.

2. Hadhrat Abu Bakr (R.A) nomination of Hadhrat Umar (R.A) as second Khalif.

" Look, I have not selected my brother or my relative to the high post but have nominated the one who is the best amongst you."

All those present appreciated it. After that Hadhrat Abu Bakr (R.A) called Hadhrat Umar (R.A) and gave him quite valuable advices which proved in his tenure as modus operandi.
(Tabaqat Ibne Sa'ad, vol.3 p.42)

In the above aspect of history, again we will like to know which Hadith of Rasulullaah (S.A.W) did Hadhrat Abu Bakr (R.A) use in order to nominate Hadhrat Umar (R.A) as Khalif ?

Hadhrat Abu Bakr (R.A) assessed the situation and decided unilaterally that Hadhrat Umar (R.A) will best guide and steer the Muslim Empire. He was absolutely right in his decision.

Islaam spread the most in the Khilafaat of Hadhrat Umar (R.A) and Hadhrat Muawiya (R.A).

Did Hadhrat Abu Bakr (R.A) commit kufr, shirk or bidat by nominating Hadhrat Umar (R.A) as Khalif ?

Was this nomination valid ?
Yes, in the eyes of Ahle - Sunnat - wal - Jamaat ?
Not according to the Shia Kaafirs ?

Those who reject Hadhrat Abu Bakr (R.A)'‘s noble decision, reject Qiyas and the Ijma (Consensus of opinion) of the Sahaabah (R.A) who :-
(a) accept the Khilaafat of Hadhrat Abu Bakr (R.A)
(b) accept the decision for compilation of Hadhrat Abu Bakr (R.A)
(c) accept the nomination of Hadhrat Umar (R.A)
(d) accept the Khilaafat of Hadhrat Umar (R.A).

Taqleed in the time of Hadhrat Umar (R.A)

1. Jamaat congregation of Hadhrat Umar (R.A)

After combining all these various pocket Jamaats in the Masjid under Hadhrat Zaid ibn Thabit (R.A), Hadhrat Umar (R.A) said, “This is a bidaat, if it is a bidaat.” (Tabaqaat ibn Saad)

Generally,” if it is a bidaat”t is not narrated or stated, giving the impression that there are two types of bidaat
1. Bidaat -e- Hasana (good bidat)
2. Bidaat -e- Saieya (bad bidat)
However, bidat is bidat, no good or bad, no Noble bidat, no pious bidat.

Now this entire action of Hadhrat Umar (R.A) was based upon his insight, foresight, wisdom and understanding of Islaam.

Which Hadith of Rasulullaah (S.A.W) did he follow ?

Does it make him one not conforming to Hadith ?

Does this mean that he is not Ahle - Hadith ?

Does this make him one involved in kufr, shirk or bidat ?

Ask the Ahle Hadith or Ghair Muqaleeds for some answers ?

Hadhrat Umar (radhiAllaahu anhu) also gave Fataawa from ***his*** Ijtihaad and view [Mizaanul Kubra Li Sha`rani, page 49, vol.1]. He sent a message to his judges that they also make Ijtihaad when passing a ruling (which was not clearly found in the Qur`aan Shareef, Ahadith or amongst the senior Sahabah) [Jaami`u Bayaanul Ilm, page 56, vol.2]. There is ***no*** mention made in any Kitaab about even one objector or rejecter of this.

2. Hadhrat Umar (R.A) nominates six

People forced Hadhrat Umar (R.A) to nominate a Khalif in his place during his life time after he was stabbed, so Hadhrat Umar (R.A) gave six names;

i. Hadhrat Ali(R.A),
ii. Hadhrat Uthman(R.A),
iii. Hadhrat Zubair(R.A),
iv. Hadhrat Talha(R.A),
v. Hadhrat Sa'ad bin Waqas(R.A) and
vi. Hadhrat Abdul Rehman bin Awf(R.A).

He asked them to accept the Amir, whom the other five agree for the Khilaafat. He then asked permission from Hadhrat Ayesha (R.A) that he may please be allowed to be laid alongside Nabi Muhammad (S.A.W). (Mustadrak, vol.1 p. 91-93)

When nominating the six to choose amongst themselves, the next third Khalif, which Hadith of Rasulullaah (S.A.W)'s did he follow ? or did he commit kufr, shirk or bidat ?

The six themselves nor the Sahaabah (R.A) did not ask Hadhrat Umar (R.A)
i. did you get Wahiyy (revelation) , when you nominated the six?
ii. which Hadith of Rasulullaah (S.A.W) are you following ?

When Hadhrat Uthman (R.A) was chosen as the third, rightful, deserving, worthy Khalif of Islaam then the Sahaabah (R.A) and the Tabieen (R.A) took Bait (allegiance).

Did anyone from amongst them ask for a Hadith to prove his (Uthman (R.A)'s) Khilaafat ? or did all of them also commit kufr, shirk or bidat?

Hadhrat Umar (R.A) said about the principles of judgement: " From after today, whosoever is faced with the responsibility of Qaza (making Sharee Rulings) then he should decide by the Kitabullaah. If such an issue is presented which is not in the Kitaabullaah, then render a decision of Nabi (S.A.W), then if any issue is presented which is not found in the Kitaabullaah and in the decision of Nabi (S.A.W), then decisions should be rendered in conformity with those of the Saleeheen (Pious). If any issue is presented which no decision available in the Kitaabullaah, or in the decision of Nabi (S.A.W) or in the decision of Saleeheen is available then make "Ijtihaad ". (Sunnan Nisai vol.2. p.305)

Taqleed in the Khilafaat of Hadhrat Uthman (R.A)

1. Standardisation of Quraanic dialect :

The greatest contribution of Hadhrat Uthman (R.A) towards the service of Islaam was that he saved the Quraan from anagram and alteration of words and publicized it widely. The backgroung of it is stated that during the expeditions of Armenia and Azerbaijan, soldiers from Syria, Egypt and Iraq were taking part, most of them were new- Muslims and non - Arabs and their mother tongue was not Arabic. Hadhrat Huzaifa bin Yamaan (R.A) was also participating in that war. He found that the non-Arabs were reading differently. The difference was so much that the people of Syria recited it differently than the people of Iraq, similarly, the people of Basra were reading it differently to the people of Kufa. Everyone considered that his pronunciation was correct and every other one was reading it wrongly. Hadhrat Huzaifa(R.A) was puzzled over this situation and as soon as he reached Madinah, he went straight to Hadhrat Uthman (R.A),the Khalif, and informed him about it. He suggested, 'take some steps, immediately, otherwise the Muslims will also make deliberate alterations in it, like the Christians and the Romans had tempered with their noble book. As Hadhrat Huzaifa (R.A) pointed out, Hadhrat Uthman (R.A) also felt the importance and urgency of the matter. He borrowed the Quraan from Hadhrat Hafsa (R.A), the wife of Muhammad (S.A.W), which was authentically compiled by Hadhrat Abu Bakr (R.A), the first Khalif of Islaam. He ordered Hadhrat Zaid bin Thabit, Abdullaah bin Zubair and Saeed bin-al-A'as to prepare its true copies. He distributed these authentic copies of Quraan all over the kingdom and took back all those which were lying with people written individually for their own sake and destroyed them all. (Bukhari)
Which Hadith of Rasulullaah (S.A.W) did Hadhrat Uthman (R.A) use to substantiate the standardisation of Quraan on Quraishi dialect ?

Did he commit kufr, shirk or bidat by doing so ?

The Sahaabah (R.A) and Tabieen who witnessed these proceeding and took part in these proceeding, are they also involved in kufr, shirk or bidat because they made Taqleed of Hadhrat Uthman (R.A).

If the Taqleed of Hadhrat Uthman's standardisation is invalid then why do those who reject Taqleed read the Quraan on the dialect standardized by Hadhrat Uthman (R.A) ?

Hadhrat Uthmaan (radhiAllaahu anhu) took pledge of Khilaafat, on the condition that he follow (make **TAQLEED**) of the previous Khalifahs. [Sharah Fiqh-e-Akbar, page 79].

2. Azaan :-

Hadhrat Uthman (R.A) ordered that a second Azaan be given on the Day of Jumuah for the Jumuah Salaat. Prior to this the Azaan which is given near the mimbar, before the Khutba was the only Azaan. Thus it was the first and only Azaan. Hadhrat Uthman (R.A) instituted the second Azaan, which has now become the first Azaan whilst the one before the Khutba has become the second Azaan. (See Khulafa Rashdeen -.Suyuti).

We ask:-

1. Which Hadith did Hadhrat Uthman (R.A) follow ?
2. Did the people of that time make his Taqleed or not ?
3. Was there any 'ghair muqaleed' at that who objected ?
4. Did Hadhrat Uthman (R.A) commit kufr, shirk, bidat ?
5. Did those who adhered to his order commit kufr, shirk, bidat ?

Taqleed in the Khilafaat of Hadhrat Ali (R.A)

1. Burning of those who stated that he is Allaah

In that time the activities of Abdullaah bin Saba, the Jew posing as a devout Muslim began to show open results. Two parties arose :-

i. those who claimed to love Hadhrat Ali (R.A)
ii. those who rejected the authority of Hadhrat Ali (R.A) out of hate for Hadhrat Ali (R.A).

Hadhrat Muawiyah (R.A) did not desire or want Khilafaat. He wanted the murderers of Hadhrat Uthman (R.A) to be arrested and brought to book first, then any other government activity. Hadhrat Ali (R.A) wanted to stabilise the government first, then arrest the culprits and criminals. On this difference the enemies of Islaam capitalised to cause battles before proper negotiations between Hadhrat Ali (R.A) and Hadhrat Muawiyah (R.A) could take place.

This resulted in the lost of many lives.

However, those that claimed Hadhrat Ali (R.A) to be Allaah on earth, Hadhrat Ali (R.A) burnt them. We know that burning is exclusively for Allaah. This action of Hadhrat Ali (R.A) let alone being contrary to Hadith, is also against the Quraan. (We accept Hadhrat Ali (R.A)'s decision, ruling and judgement whole - heartedly) (Bukhari)
Nevertheless, the question arises, which Hadith did Hadhrat Ali (R.A) use for his decision?

Did Hadhrat Ali (R.A) commit kufr, shirk or bidat ?

Did those who helped Hadhrat Ali (R.A) (made his Taqleed) commit kufr, shirk or bidat by following the rule of Hadhrat Ali (R.A) ?

Hadhrat Ali (radhiAllaahu anhu) used to say *"I am making Ijtihaad on my view."* Sharoh - Fiqh -e- Akbar. Page 79.

2. Decisions of Hadhrat Ali (R.A)

In the Kitaab, Musnaf ibn Shuaiba, Munaf ibn Abu Razack, Maaninul Aasrsar etc, literally thousands of ruling of Hadhrat Ali (R.A) and the Sahabaah (R.A) are stated, without Hadith as substantiations.

Does this make them deniers and rejecters of Ahadith ?

Does this make them those indulging in kufr, shirk or bidat ?

In reality the Ahle - Hadith or Ghair Muqaleed who claim to follow the Hadith, are those who follow Hadith the least, whereas the Ahle - Sunnat - wal - Jamaat by adhering to the Sunnat, follow the Hadith most .

From the above we realise that ghair Muqaleeds are those who reject :-

i. Qiyas of the Khulafa -e- Rashideen ;
ii. Ijma of the Sahabaah (R.A);
iii. Falsely accuse the Muslims of not conforming to the Hadith ;
iv. Are mislead and misleading ;
v. Are not from the Ahle - Sunnat - wal - Jamaat ;
vi. In fact, are close to the Shias ;

Similarities between Ghair Muqaleeds and Shias

Rawafiz or shia and the ghair muqaleeds :-

1. deny that the Sahaabah (R.A) are the criterion of right and wrong in Deen - Religion ;
2. both groups state that 3 Talaaqs in one session are equal to one;
3. they say that Taraweeh is the 'bidat' of Umar (R.A) ;
4. they state that the second Azaan given near the Mimbar is an innovation (bidat) and the ghair Muqaleeds classify it as Bidat Usmani;
5. both do not accept the decision of Hadhrat Umar (R.A) and Hadhrat Ayesha (R.A) of preventing women from the Masjid.(Fatwa Rahmiyah Vol. 4, p. 42);
6. both groups deny and reject the Ijma of Sahaabah (R.A);

Thus far :
We have proven Taqleed :-

i. In the lifetime of Rasulullaah (S.A.W) ;
ii. From the Quraan ;
iii. From the Ahaadith ;
iv. In the Khilafaat (lifetime) of Hadhrat Abu Bakr (R.A) ;
v. In the lifetime (Khilafaat) of Hadhrat Umar (R.A) ;
vi. In the lifetime (Khilafaat) of Hadhrat Uthman (R.A);
vii. In the Khilafaat (lifetime) of Hadhrat Ali (R.A) .

The question arises about Taqleed amongst the Sahaabah (R.A), and concerning Hadhrat Imam Mahdi and Hadhrat Isa (A.S)

Taqleed amongst the Sahabaah (R.A)

1. Hadhrat Ibn Abbas (R.A) says that Hadhrat Umar (R.A) delivered a sermon at (a place) Jabia, and said : Oh people, those of you who want to know about "Fiqh" should go to Maaz Bin Jabal and those who want to ask about property (goods) should come to me, for Allaah has made me its custodian and distributor.

2. Hadhrat Suliman Bin Yassar (R.A) said that Hadhrat Abu Ayub Ansari (R.A) journeyed with the intention of Hajj until he reached Nazia, en route to Makkah, where his conveyances were mislaid (lost). He thus reached Hadhrat Umar (R.A) on (10 Zil Hajj) (Day of Sacrifice) when Hajj had already taken place and related what had occurred. Hadhrat Umar (R.A) said, "you complete those acts which a person performing Umrah does (i.e. Tawaaf and Saee) so as to come out of Ihraam. When the Hajj comes next year, perform Hajj and make sacrifice of what you can easily obtain." (Muatta Imam Maalik, p. 149)

   No Hadith proof was called for. Hadhrat Abu Ayub Ansari (R.A) made Taqleed of Hadhrat Umar (R.A)'S Ilm and understanding.

3. Hadhrat Umar (R.A) said about the principles of judgement: " From after today, whosoever is faced with the responsibility of Qaza (making Sharee Rulings) then he should decide by the Kitabullaah. If such an issue is presented which is not in the Kitaabullaah, then render a decision of Nabi (S.A.W), then if any issue is presented which is not found in the Kitaabullaah and in the decision of Nabi (S.A.W), then decisions should be rendered in conformity with those of the Saleeheen (Pious). If any issue is presented which no decision available in the Kitaabullaah, or in the decision of Nabi (S.A.W) or in the decision of Saleeheen is available then make "Ijtihaad ". (Sunnan Nisai vol.2. p.305)

4. The people of Madinah questioned Hadhrat Abdullaah bin Abbas (R.A) about a woman who menstruated after the Fardh Tawaaf.(Can she return without performing the Tawaaf -e- Widaa. Ibn Abbas stated that she can return without performing Tawaaf -e- Widaa. The people of Madinah said. "We will not leave the decision of Zaid bin Thabit by acting on your ruling," (Bukhari, vol.1 p.237).

The next argument is " what about from the time of Sahaabah (R.A) till Imam Abu Hanifa (R.A) ? Did they follow any Imam, and was Taqleed Wajib then ?

The Sahaabah (R.A) were more than a hundred thousand in number. Shah Waliullaah (R.A) says that the Sahaabah (R.A) were from one of two groups, Mujtahid and Muqaleed. The Sahaabah (R.A) were Arabs, but according to Ibn Qayyim there were only 149 theologians, from whom 7 gave most of the Fatawas; 20 gave few Fatawas and 122 rendered the least Fatawas. The thousand of Fatawas of these Mufti's are present in the following Kitaabs. Musnaf Ibn Abi Shayba; Musnaf Abdur Razzak; Tahzeebul Anthaar and Ma'aanil Aathaar; etc, in which the Mufti's only narrate the Masala - law, and they do not narrate any Aayat or Hadith by way of proof with the Masala. The rest of the Sahaabah (R.A) practised on these Masala's without any proof. This is called Taqleed. Regarding these Mufti's from the Sahaabah (R.A), Shah Walliullaah (R.A) say, that the Sahaabah (R.A) were spread in different countries and one Sahaabi was followed, in each place example :

Makkah - Hadhrat Ibn Abbass (R.A).
Madinah - Hadhrat Zaid Ibn Thabit (R.A)
Kufa - Hadhrat Abdullaah Bin Masood (R.A)
Yemen - Hadhrat Muaaz (R.A)
Basrah - Hadhrat Anas (R.A)

After them came was the era of the Tabiens. Hadhrat Shah Walliullaah (R.A) says that every Tabee Aalim had a line of following and they became the Imams of each city and the people used to follow them.

This little argument is therefore as ridiculous as asking how the Quraan was read before the 10 Qaris came, or why the Sahaabah (R.A) did not read Bukhari or Muslim ? or whether it is now necessary to believe in Hadith ?

Were the Sahabaah (R.A) who were making Taqleed of their respective Faqaih (jurisprudic consultants) in their various areas committing kufr, shirk or bidat ?

Did the Sahabaah (R.A) and Tabieen ask their Faqaih's for every masala (law) to produce some Hadith ?

Did they rely and have their confidence on the knowledge, purity, authority of the Faqih ?

The Fiqh (jurisprudence) of the Sahabaah (R.A) was not compiled, codified or systemised because of the Deeni activities of that time. The Imams of Fiqh (jurisprudence) accomplished this noble task. That is why there is Taqleed of the Imams of Jurisprudence and not of any not of any one particular Sahaabah.

Taqleed by Hadhrat Mahdi

According to the 'Kasf' (spiritual inspiration) of Mujjahid Alif Thani (R.A) Mahdi will follow the Mazhab of Imam Abu Hanifa (R.A);

However if someone has to say that 'Kasf'' is no Shari proof which is a valid statement ; then our reply is that definitely Hadhrat Imam Mahdi will not be a Ghair

Muqaleed or Ahle Hadith as is known today. It is the unanimous decision of the Ulema that :-

i. Taqleed is Waajib in our times. Sayed Ahmed Thanwi (H.1233), states the group on salvation is the Ahle Sunnat wal Jamaat which has been concised in the 4 Mazhabs, which are Hanafi, Maaliki, Shafi, Hanbali. And those persons in the age who are not from these Mazhabs are amongst the innovators and dwellers of the fire (not from the Ahle Sunnat). (Tahtawi Alaa Durul Muktaar, vol.4. p. 153).

ii. The Ahle - Sunnat - wal - Jamaat are Muqaleeds of any one of the four great Imams of Fiqh.

iii. Those not conforming to any one of the four Mazhabs are not amongst the Ahle - Sunnat - wal - Jamaat

When Hadhrat Mahdi comes then, one of these two possibilities will exist::-

i. he will be Mujtahid -e- Mutlaq (like the great Imams of Fiqh) or
ii. be a Muqaleed .

If he is (i) well and good and if he is (ii) then in order to be from the Ahle - Sunnat - wal Jamaat he has to be Muqaleed.

For certain he will not be from the Ahle Hadith or Ghair Muqaleed for these groups are not from the Ahle - Sunnat - wal - Jamaat .

Taqleed by Hadhrat Isa (R.A)

He will be Mujtahid -e- Mutlaq-like the great Imaams of Fiqh.

In conclusion : -

Thus we know that the Ghair Muqaleeds are false in their accusations that following the Imams of Fiqh is kufr, shirk or bidat.
Also that the Ghair Muqaleeds are rejecters of :-

1. Qiyas ;
2. Ijma ;
3. Criticises of the Imams of Fiqh ;
4. Indirect deniers of Hadith ;
5. Indirect deniers of the Quraan ;
6. Followers of whims and fancies ;
7. Mislead and misleading ;

8. Not conformist to Sunnat ;
9. Prevent people from performing Salaat ;
10. Projectors of a deviated version of Islaam.

Allaah save and protect us from them.

In Haram 76/4/99

TAQLEED MADE EASY

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What is the Literal Meaning of Taqleed?

The literal meaning of Taqleed according to the dictionary is "to follow". And according to the dictionary, Taqleed; it-tiba; Ita-at; and Iqtida are all synonyms. The word taqleed originates from "Qa la da", i.e.: a collar (necklace) when this collar is placed on the neck of men it is called a necklace and when it is placed on the neck of an animal it is called a collar. We will now explain only that meaning which refers to men because we are humans.

The Shar'ee Meaning of Taqleed:

Hakimul Ummat Hadhrat Moulana Ashraf Ali Thanwi (Rahmatullah Alayh) while defining Taqleed writes: "that Taqleed is to accept the view or saying of an individual, and to entertain a positive belief that his view is authentic. Without scrutinizing (investigating) its authority." (Al-Iqtisaad Page 5).

According to the above-mentioned definition of taqleed,we understandthat to accept the narration of a narrator is taqleed of 'Riwayah' and to accept the disposition of a Mujtahid is 'Taqleed fid Dirayat'.

The Correct and Incorrect Taqleed:

According to the dictionary, the milk of a dog is called milk and the milk of a cow is also called milk, but according to Shariat there is a difference of it being Halaal and haraam. In the same way there are two types of Taqleed:

1. If you follow anybody in going against Shariat, then this is wrong, just like how the non-believers follow their own evil ways, instead of following Allaah and his Rasul (Sallallahu alayhi wasallam).
2. If you follow anybody in acting according to Shariat and that you have this belief that the Mujtahid is more learned than in the Qur'aan and Sunnat and that is why we follow him, then this is the correct and Wajib (necessary) Taqleed.

On Which Masa'il (laws) Taqleed is Made?

Only on these Mas'alas which need deep thought (Masail Ijtihadia). In the Hadith of Muaaz bin Jabal (R. A.), the law of Itjhaad is established, that in those mas'alas the Mujtahid will adopt Ijt'had which are not found in the Qur'aan and Hadith, and theseare corroborated from the Qur'aan and Hadith.

N.B. It is also the Ijtihaad of the Muhaddi'theen, to make the rules of Hadith. To say which Hadith is correct, which is weak and to say whether the author is reliable or not.

Who Should Taqleed be Made of?

It is a known fact, in that those Mas'alas which require deep thought (Ijtihaad) then the Mujtahid should be followed and it is the declaration of the Mujtahid,

That we do not take out Mas'alas from our own whims and fancies. But it is taken from the Qur'aan, Hadith and on Ijma (i.e. Unanimous consent of Ummah). And this is also the declaration of the Mujtahids that we first search in the Qur'aan, if no clear answer is found, then we look in the Sunnah, and if it is not found therein, then the unanimous agreement of the Sahaabah (Radiahallahu Amhum), if there is difference of opinion among the Sahaabah (Radiahallahu Amhum) then it is taken from the Khulafa-e-Rashideen, and it is not found here also, then they pass such a ruling through their undertaking which is not against the commandments of Allaah Ta'aala and the teachings of Nabi (Sallallahu alayhi wasallam) and in this way they search for the answers.

If you wish to know the truth about what we have stated, then summarise the teachings of Ibrahim and his cohorts as recorded in the following works: Al *Athar* "traditions" by Muhammad al Shaybani, the *Jami* "The Compendium" of 'Abu al-Razzaq and the M*usannaf* "Compilation" of Ibn Abu Shaybah, and compare with Abu Hanifah's (R.A.) formal opinions. Indeed, you will find that Abu Hanifah (R.A.) departs only rarely from their way, and even then his opinion will not differ from the opinions of the Jurists of Kufah.

"I follow the book of Allaah, and if I find no solution there, I follow the Sunnah of the Nabi (Sallaahu alayhi Wasalaam). If I find no solution in either the Qur'aan or the Sunnah, I follow whichever of the pronouncements of the *Sahabah* I prefer, and leave whichever I wish. If there is a pronouncement on a particular matter by any of the *Sahabah,* I would not adopt any other opinion made by any other scholar. But, if I found a solution only in the opinions of Ibrahim, al Sha'bi, Ibn Sirin, Hasaan al Basri, Ata or Sa'di Ibn al Musayyab, I would make Ijtihad just as they did".
See Tarikh Baghdad Vol. XXXI, p 368, al Intiqa, p 142, and Mashayikh Balkh al Hanafyah.

When some people tried to turn the *Khalifah*, al Mansur, against Abu Hanifah (R.A.) wrote to the *Khalifah*:

"The situation is not as you have heard, *O Amir al Mu'minim!* I work according to the Book of Allaah, then according to the Sunnah of the Nabi (Sallahu Alayhi Wasalaam) , then according to the judgements of Abu Bakr, Umar, Uthman and Ali (R.A.), then according to the judgements of the rest of the *Sahabah(R.A.).*Then if there are any differences between their pronouncements, I resort to al Qayas(dedeuction by analogy). No one of Allaah's creatures is inherently closer to Him than any other".
See al Samarqandi, Mizan al Usul, I 52, taqi al Din-al Ghazzi, al Tabaqat al Saniyah I, 43; and Mashayikh, Balkh, p. 193.

Just like an accountant has to look up in the laws of accounting for every new question and not from his own whims and

fancies.

Moreover the general impression created is that Imams of Fiqh, especially Imam Abu Hanifa (R.A.) only formulate using Qiyas and discard the Quraan and Ahadith.
Also know that following the Sunnat one will be adhering to the Ahadith as well. But by trying to only follow the Ahadith one will not necessarily be following the Sunnat. Understand carefully this differance. For those opposing Taqleed try to decieve the simple Muslim by stating that you are not following the Ahadith and thereby implying that one is not following the Nabi (Sallahu Alayhi Wasalaam) of Allaah.
Furthermore Sunnat came before Ahadith, so the one acting upon the Sunnat is closest in Pleasing the objects of Allaah. Also, the Aima-e-Araba-the Four Imams of Fiqh had acess to the Sunnat which includes the Ahadith whilst the objectors of Taqleed are futher away from the era of Nabi (Sallahu Alayhi Wasalaam) and only have the Ahadith in front.

Who Makes Taqleed?

It is a known fact that when a question is put forward to an accountant, then he would give an answer according to the rules of accounting and those who do not know the rules of accounting, will ask the accountant for an answer. In the same way in Masaile Ijtihadia there are two ways in practicing on the Qur'aan and Sunnah.

1. That person who is a Mujtahid will search of Masalas himself, from the rules of Ijtihadia and will practice on the Qur'aan and Hadith.

2. And a 'Ghair Mujtahid' (non-Mujtahid) knows that he does not have the capability of searching for the Masala from the Qur'aan and Hadith that is why he will ask the Mujtahid for the Masala according to the Qur'aan and Hadith. To practice in this way is called Taqleed and a Muqaleed-follower cannot practice on any law on his own opinion and when he know that a Mujtahi will inform him according to the purport of Allaah and his Rasul (Sallallahu alayhi wasallam).

Who is a Mujtahid?

These conditions include: (a) mastery of the Arabic language, to minimise the possibility of misinterpreting Revelation on purely linguistic grounds; (b) a profound knowledge of the Qur'aan and the Sunnah and the circumstances surrounding the revelation of each verse and Hadith, together with a full knowledge of the Qur'aanic and Hadith commentaries, and a control of all the interpretative techniques discussed above; (c) knowledge of the specialised disciplines of Hadith, such as the assessment of narrators and of the ***matn***; (d) knowledge of the views of the companions, followers and the great Imams, and of the positions and reasoning expounded in the text books of ***Fiqr***, combined with the knowledge of cases where a consensus (***Ijma)*** has been reached; (e) knowledge of this science of judicial analogy (***qiyas,*** its types and conditions; (f) knowledge of one's own society and of public interest (***maslaha);*** (g) knowing the general objectives (***makasid)*** of the ***Shari'a***; (h) a high degree of intelligence and personal piety, combined with the Islamic virtues of compassion, courtesy and modesty.

A scholar who has fulfilled these conditions can be considered a mujtahid ***fi 'l-shar***, and is not obliged, or even permitted, to follow an existing authoritative madhhab. This is what some of the Imams were saying when they forbade their great disciples from imitating them uncritically. But for the much greater number of scholars whose expertise has not reached such dizzying heights, that is, a scholar who remains broadly convinced of the doctrines of his school, but is qualified to differ from received opinion within it. there have been a number of example of such me, for instance Qadi Ibn Abdal-Barr among the Malikis, Imam al-Nawawi among the Shafi is, Ibn Abidin among the Hanafis and Ibn Qadama among the Hanbalis.

Other categories of mujtahid are listed by the ***usul*** scholars; but the distinctions between them are subtle. The remaining categories can in practice be reduced to two: the ***muttabi*** (follower), who follows his ***madhhab*** while being aware of the Qur'aanic and Hadith texts and the reason underlying its positions, and secondly the ***muqallid*** (emulator), who simply conform to the ***madhhab*** because of his confidence in its scholars, and without necessarily knowing the detailed reasoning behind all its thousands of rulings.

The Definition of a 'Ghair Muqaleed'

We have already understood the meaning of a Mujtahid and a Maqaleed (follower), not we have to understand the meaning of a 'Ghair Muqaleed' i.e. that person who cannot make Ijtihaad and who does not follow anybody, meaning he is not a Mujtahid nor is he a Muqaleed. Just like how in Salaat with Jammah, there is only one Imaam and the rest are Muqtadis-followers. But that person who is not an Imaam nor a Muqtadi, or he sometimes speaks ill of the Imaam or fights with the Muqtadis, is known as a Ghair Muqaleed, or just like how in countries there is a ruler and the rest are all his subjects, but that person who is not a ruler nor is he a subject, then he is a traitor of that country. So this is the position of a 'Ghair Muqaleed'. (Non-follower).
These days the 'Ghair Muqaleed' has termed himself,"Alhe-Hadith',whereas in reality he is far away from the Ahadith. Another name commonly used these days is "Salafi".

TAQLEED IN THE QURAAN

1) "Ask the people of knowledge (those who know) when you do not know" (Nahl – 43 – Ambiyaa: 7).

2) "These are those whom Allaah had guided so you also follow their path" (Sura Anaam).

3) "Oh Muslims, obey Allaah and obey the Rasul and those in authority amongst you" (Surah – A) Nisaa 89).

4) 'When news come to them, either of security or of fear, they divulge it, but if they had refined it to the Rasul and to those who are in authority among them, those among them who investigate the matter, they could have understood it. (Nisai: 83).

5) "The believers should not go forth (in jihaad) all together. Why then should not a party from every group (who are left behind) apply themselves diligently to understand Deen (fiqh) and admonish these people when they return, then they may ward off evil". (Taubah – 122)

6) "And when they become steadfast and firmly believed in our revelations. We appointed leaders (guides) from amongst them who gave directions at our bidding". (will/command) (Alif laam meem Sijda – 32-23)

7) "Follow the path of one who has turned towards me". (Surah luqman – 15).

8) "O Muslims, fear Allaah, be amongst the Sadiqeen". (truthful ones). (Surah Taubah).

9) "And follow the creed of Abraheem who turned away from all that is false." (Surah-al-Imraam – 95).

10) "And we made them leaders who used to guide others by our command, and we inspired them to do great works". (Surah Ambiyaa – 73)

As listed by Mufti Abdur Raheem Lajpuri in Fatawa Rahamiyah-Vol. 4.

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TAQLEED IN THE AHADITH

1. Hadhrat Huzaifa (R.A.) narrates that Rasulullaah (Sallallahu Alayhi Wasallam) said, I do not know for how long I will be amongst you? So you follow two people after me, (one) Abu Bakr and (two) Umar". (Mirqaat, Vol. 5 p. 349).

2) Definitely Allaah will not remove (left) Ilm from the world by raising it from the hearts (of servants), but Ilm will be risen by calling the Ulema (to me), to such an extent that when no Alim is left then the people will take the ignorant as their leaders, who will be questioned and they will reply without Ilm, they themselves will be misled and will mislead others. (In Bukhari, Muslim, from Hadhrat Abdullaah bin Umar (R. A.) Mishkaat. P 33).
3) "One who renders a legal ruling without Ilm, its sin will be upon the givers of the Ruling" (in Abu Dawood born Hadhrat Abu Hurraira (Radhaillahu anhu) – Mishkaat – P 27).

4) In every coming generation reliable people are those who are repositiony of Ilm with which they refute the extremist complaintant, and the false claims of the false ones and the gross devious false declaration of the ignorant ones. (from Hadhrat Ebrhim bin Abdul Rahman al Azri (R.A.) in Bukhari – Mishkaat P28)

5) "You follow me by looking at me and those who are coming after your, follow you by looking at you" (Bukhari, Muslim – Bukhari – Vol. 1 P 99).

6) "Verily people will be your followers and verily people will come to you from different parts of the world to acquire learning (understanding) in Deen. So when they come, admonish them with good". (From Hadhrat Abu Seed Khudri (Radhaillahu anhu) of Tirmidhi – Mishkaat).

7) A lady came to Rasulullaah (Sallallahu Alayhi Wasallam) and stated. Oh Rasulullaah, my husband has gone for Jihaad, and when he performs Salaat, I follow him and in all his action I follow him, now show me such an action, which will earn me the reward of Jihaad. (From Hadhrat Sahl bin Maaz (Radhaillahu anhu) in Musnaad Ahmad (Musnad Ahmad vol. 3 p 439).

Nabi (Sallallahu alayhi wasallam) did not object to his making Taqleed of her husband).
8) Concerning the Sahabah (Radhaillahu anhu) Rasulullaah (Sallallahu Alayhi Wasallam): "So the work these Muslims consider good is good in the sight of Allah also, and which they consider bad is bad in the sight of Allaah also" (Iqamat-al-Hajjeh, Page 8, Majalis al Abrar, Page 130, Majlis, 18, Muwatta-e-Muhammad ,Page 112, Al- Bidaya-wal-Nihaya, Vol. 10, Page 228).

9) The sect of salvation is, "That millat on which I, (Rasulullah (Sallallahu Alayhi Wasallam) am upon and my Sahabah are upon" (Maktubet-e-Imam-e-Rabbani, Vol. 1, Page 102).

10) "My companions are like stars, whomever you follow, you will have the right path". (Mishkat, Page 554).

11) The person who in matter relating to Deen sees the one higher than him and follows (him) and in those matters relating to mundane affairs he sees the one lower than him, then he should thank Allaah for keeping him in a good condition. (From Hadhrat Abdullaah bin Umar (Radhaillahu anhu) Jame Tirmidhi, Sharh Ibn Arabi, Vol. 9. Page 317).

12) "Hold fast to my Sunnat and Sunnat of the Khulafa Rashdeen al Madhdeen". (Mishkaat, Page 30).

13) Sending of Hadhrat Maaz bin Jabal (Radhaillahu anhu) to Yemen by Rasulullaah (Sallallahu Alayhi Wasallam) (Abu Dawood vol. 2 Page 149).

14) Sending of Hadhrat Mus'ab bin Umayr (Radhaillahu anhu) as a teacher and guide for the people of Madinah. Before the arrival of Nabi (Sallallahu alayhi wasallam).

Whose Taqleed did the people of Madinah make? Was that against the law of Allaah?

15) "Ulema are the heirs of the Ambiyaa" (Ahmed, Abu Dawood, Tirmidhi, Mishkaat, Page 34).
Ambiyaa left behind Ilm. Just as it is necessary to follow the Ambiyaa so also is it necessary to follow the Ulema.

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TAQLEED IN THE ERA OF THE SAHABAH (Radhaillahu anhum)

1. Hadhrat Ibn Abbas (Radhaillahu anhu) says that Hadhrat Umar (Radhaillahu anhu) delivered a sermon at (a place) Jabia, and said: Oh People, those of you who want to know about "Fiqh' should go to Maaz Bin Jabal and those who want to ask about property (goods) should come to me, for Allaah has made me its custodian and distributor. (Majamul Jawaid Vol. 1, Page 135).

2) Hadhrat Salim (Radhaillahu anhu) says that someone asked Abdullaah bin Umar (Radhaillahu anhu) that one person owes another a loan which has to be paid back on a specified time. The loan giver wants the debt paid before its time. Hadhrat Abdullaah bin Umar (Radhaillahu anhu) was displeased and stopped him. (Muatta Imaam Maalik, Page 179).

No proof of decision was asked for nor is there any Hadith for this answer. So deduction by analogy was used. Is this Shirk? Or not conforming to Sunnat? Or kufr?

3) Abdur Rahman says he asked Muhammad bin Sereen that (for Ghusl) how is to enter the public bathroom?.He said Umar (Radhaillahu anhu) considered it Makrooh (detested). (Musnad, Mutalib ul alaya Hafz Ibn Hajar, Vol. 1, Page 51, Hadith no 187).

No Hadith was quoted or asked for.

4) Hadhrat Sulaman bin Yassar (Radhaillahu anhu) said that Hadhrat Abu Ayad Ansari journeyed with the intention of Hajj until he reached Nazia en-route to Makkah where his conveyances were mislaid (lost) and he reached Hadhrat Umar (Radhaillahu anhu) on (10 Zil Hajj) (Day of Sacrifice) when Hajj had already taken place and mentioned what had occurred.Hadhrat Umar (Radhaillahu anhu) said, you complete these acts which a person performing Umrah does (i.e. Tawaaf and Saee) by which you will come out of Ihraam. Then when the Hajj time comes next year perform Hajj and make sacrifice of what you can easily obtain. (Muatta Imam Maalik, Page 149).

No Hadith proof was called for. Hadhrat Abu Ayob Ansari (R.A.) made Taqleed of Hadhrat Umar (Radhaillahu anhu)'s Ilm and understanding.
5) Hadhrat Musaib bin Sad (Radhaillahu anhu) says my father (Hadhrat Sad Bin Abi Waqqaas), when he should perform his Salaat in the Masjid then he should make a short duration in Ruku and Sajda and at home lengthy ones. I asked my father of this difference. Hadhrat Sad (Radhaillahu anhu) replied, Son, we are the Imams (of the people), people follow us (so they will regard lengthy Ruku and Sijda as necessary. (Mujumul – Zawaaid, Vol. 1, Page 182).

So the general public not only made Taqleed of the Sahabah statements but actions also.

6) Once Hadhrat Umar (Radhaillahu anhu) saw Hadhrat Abdur Rahman bin Auf (Radhaillahu anhu) wearing a (special type) of socks and said: I swear on oath that you should remove these socks, for I fear that people will see you and follow you. (Asabah of Hafz ibn Hajar, Vol. 2, Page 361).

7) Similarly once Hadhrat Umar (Radhaillahu anhu) saw Hadhrat Talha (R.A.) adorned in a coloured Ihraam and said “you are the Imaam and guide of people, people will follow you, some ignorant person sees you will say that Talha bin Ubaidullaah should wear coloured cloth in Ihraam – thus do not wear this coloured cloth. (Musnad Ahmad, Vol. 1, Page 192).

From 6 and 7 we learn that Taqleed was made on the statements and action of the knowledgeable Sahabah.

8) Hadhrat Umar (Radhaillahu anhu) sent Hadhrat Abdullaah bin Masood (Radhaillahu anhu) to Kufa and wrote a letter to the people of Kufa: I am sending to you Amaar bin Yasaar as Amir and Abdullaah bin Masood as teacher and minister. They are prominent and from the Ahle Badr Sahabah, follow them and listen to them.
Was Hadhrat Umar (Radhaillahu anhu) asking the people to commit Shirk, Kufr and Bidaat?

9) Stating the principles of Qaza (judgement) Hadhrat Umar(R.A.) said: From after today whomsoever is faced with the responsibility of Qaza (making Sharee Rulings) then he should decide by the Kitabullaah , then if such an iussue is presented which is not in the Kitabullaah , then render a decision in conformity with us what was given by Nabi (Sallallahu alayhi wasallam), then if any iussue is presented which is not found in the Kitaabulullah and in the decisions of Nabi (Sallallahu alayhi wasallam), then decisions should be rendered in conformity with those of the Saleeheen (Pious) and if any iussue is presented which no decision is available in the Kitaabullaah, or no decision of Nabi (Sallallahu alayhi wasallam). and no decision of Saleehen is available then make "ijtihaad".
(8) and (9) Sunan Nisai, Vol. 2, Page 305.
Some system was utilised by Hadhrat Imam Abu Hanifa (R. A.) – see later.

10) Hadhrat Hassan (Radhaillahu anhu) was asked by someone, do you drink the water of the Masjid? Whereas it 'Sadaqah'.Hadhrat Hassan replied: Hadhrat Abu Bakr and Umar drank the water from Umme Sad ((Radhaillahu anha), then (if I drink) then what is the matter? (Kanzul – Umwaal, Vol. 3, Page 31).
Hadhrat Hassan (Radhaillahu anhu) gave no other proof besides the actions of Hadhrat Abu Bakr (Radhaillahu anhu) and Hadhrat Umar (Radhaillahu anhu). He preferred Taqleed. Did he commit Bidat, Shirk or Kufr or Sin?

11) The people of Madinah questioned Hadhrat Abdullaah bin Abbas (Radhaillahu anhu) about a woman who menstruated after the Fard Taawaf. (Can she return without performing the Tawaaf-e-Widaa), Ibn Abbaas stated that she can return without performing Tawaf-e-Widaa. The people of Madinah said we will not leave the decision of Zaid bin Thabit by acting on your ruling. (Bukhari, Vol. 1, Page 237).

From this it is clear that Taqleed was practised in the time of the Sahabah (Radhaillahu anhum) and not considered Kafu, Shirk, Bidat or sin.

12) Although Hadhrat Ibn Abbaas(R.A.) was a Mujtahid but said that there is no room for any other person's legal ruling in the presence of Hadhrat Ali (Radhaillahu anhu) rulings. (Kalim-ul-Fazil , Page 19).

13) As long as Salem bin Abdullaah(R.A.) was alive Imam Nafi (R.A) did not give legal rulings (Fatawa). Tazkirarul Hufaz, Vol. 1, Page 98).

THE SAHABAH WHO GAVE FATAWA DURING RASULULLAAH (SALLALLAHU ALAYHI WASALLAM) LIFETIME

The Sahabah who gave Fatawa in Rasulullaah (Sallallahu Alayhi Wasallam) time were; Abu Bakr,Uthman, Ali, Abd ul Rahman ibn Awf, Abdullaah ibn Mas'ud, Ubay ibn Ka'b, Mu'adh ibn Jabal, Ammar, Ibn Yasir, Hudhayfah ibn al Yaman, Zayd ibn Thabit, Abu al Darda, Abu Musa al Ash'ari and Salman al Farisi (Radhaillahu anhum ajmaeen).

Some Sahabah gave more Fatawa than others. Those who gave the most Fatawa were: Aishah Umm al Mu'minin, Umar ibn al Khattab and his son Abdullaah , Ali ibn Abu Talib, Abdullaah ibn Abbas and Zayd ibn Thabit. The Fatawa given by any one of these six would fill a great volume. For example, Abu Bakr Muhammad ibn Musa ibn Yaqab ibn al Khalifah Ma'mum collected the Fatawa of Ibn Abbaas (R.A.) in twenty volumes.

Those from whom a lesser number of Fatawa were narrated are: Umm Salmah, Umm Al Mu'minin, Anas ibn Malik, Abu Sa'id al Khudri, Abu Hurayrah, Uthman ibn Affan, Abdullaah ibn Amr ibn al As, Abdullaah ibn Zubayr, Abu Musa al Ashari, Sa'd ibm Abu Waqqas, Salman al Farisi, Jabir ibn Abdullaah Muadh ibn Jabal and Abu Bakr al Siddiq.
To this list to be added Talhah, al Zabayr, Abd ul Rahman ibn Awf, Imran ibn Husayn, Abu Bakrah, Abullaah ibn al Samit and Mu'awayah ibn abu Sufyan. The rest gave only a few Fatawa, and only one or two, in some instances more, have been transmitted from any of them. (see ibn Hazm, al- Ikham).

See also Dajawi II 576: "the Companions and followers used to give *Fatwas* on legal issues to those who asked for them. At times they would mention the source, if this was necessary, while at other time they would limit themselves to specifying the ruling. Al Ghazzali (*Mustasfa II 385)* explains that the existence of *Taqlid* and *Fatwa* among the Companions is a *dalil* for the necessity of this fundamental distinction. The proof that *taqlid* is obligatory is the *ijma* of the Companions. For they used to give *fatwas* to the ordinary people and did not command them to acquire the degree of *ijihad* for themselves. This is known necessarily (*bu 'l-danura) and by parallel lines of transmission (*tawatur) from both scholars and the non-scholars among them. See also Ibn Khaldun *Muqaddima* (Bulaq ed., p 216): "Not all the Companions were qualified to give *fatwas* and Islam was not taken from all of them. That privilege was held only by those who had learnt the Qur'aan, knew what it contained by way of abrogated and abrogating passages, ambiguous (*mutshabih) and perspicuous (*muhkam*)* expressions, and its other special features. And also Imam al-Baji (S793): "Ordinary Muslims have no alternative but to follow the Ulema. One proof of this is the *ijma* of the Companions, for those among them who had not attained the degree of *ijtihad* used to ask the ulema Companions for the correct ruling on something which happened to them. Not one of the Companions

criticised them for so doing, on the contrary, they gave them *fatwas* on the issues they has asked about, without condemning them or telling them to derive the rulings themselves (from the Qur'aan and Sunnah).

According to Al-Sha'bl: "Six of the Companions of the Rasul (Sallallahu Alayhi Wasallam) used to give ***fatawas*** to the people: Ibn Mas'ud, Umar ibn al-Khattab, Ali ibn Talib, Zayd ibn Thabit, Ubayy ibn Ka'b, Abu Musa (al-Ash'ari). And our of these, three would abandon their own judgements in favour of the judgements of three others: 'Abdullah-(ibn Mas'ud) would abandon his own judgement for that of Umar, Abu Musa would abandon his own judgement for that of Ali, Zayd would abandon his own judgement of Ubayy ibn Ka'b.

The time of the Sahabah came to an end between 90-100 A.H. and was followed by the time of the Tabii'n whose scholars became responsible for *Fiqh* and giving *Fatawa*. The last of the *Sahabah* in Kufa died in 86 or 87 A.H. The last one in Madinah, Sahl ibn Sa'd al Sa'idi, died in 91 A.H. The last in Basrah, Anas ibn Malik, died in 912 A.H. (some say 93 A.H.). The last one in Damascus, Abdullaah ibn Ysr, died in 88 A.H. The last one of the *Sahabah* Amir ibn Wathalah ibn Abdullaah (Abu Tufayl) died in 100 A.H.

Thereafter, those who became responsible for issuing *Fatawa* were the freed men *Mawali,* most of whom had lived with the *Fuqaha* among the *Sahabah* Such as: Nafi, the freed men of Ibn Umar, Ikramah, the freed men of Ibn Abbaas, Ata ibn Rabah, the Faqih of Makkah; Tawus the Faqih of the people of Yemen; Yahya ibn Kathir, the Faqih of Yamamah, Ibrahim al Nakha'i, the Faqih of Kufah, Hasan al Basri, the Faqih of Basrah; Ibn Sirin, also Basrah; Ata al Khurasani in Khurasan and others. Indeed, Madinah was unique in having a *Faqih* from Quraysh, Sa'id ibn al Musayab.

Sadurul Aaimah Makki (Rahmatullah Alayh) says that he visited Hadhrat Ataa Khalifa Hishaam bin Abdul Malik (Rahmatullah Alayh). So Khalifa asked him, that do you know the Ulema of the different towns? He replied yes - so Khalifa (Rahmatullah Alayh) asked, who is the Aalim of Madinah? He replied, Nafi, and in Makkah, Ataa, in Yemen, Taws, in Yamamah, Yahya bin Katheer, in Syria, Makhool, in Iraq, Maymoon bin Mihran, in Kurasaan, Dhihaak bin Mazahim, in Basrah , Hassan Basri, in Kufa, Ibrahim Nakh'ee. So in every town one Imaam's fatwa's was followed. Imaam Haakim has also written this incident in Ma'rifat Uloom Hadith.That is why Imaam Gazzali (R.A.) says that Taqleed is the Ijma (unanimous consent) of all the Sahaabah (Radiahallahu Amhum) because with the Sahaabah (Radiahallahu Amhum) Mufti used to give the fatwa and the rest of the Sahaabah (Radiahallahu Amhum) should not refute it . This is Taqleed and this Taqleed is established with an authentic chain of narrators.

Allamah Aamadi (Rahmatullah Alayh) says that during the times of the Sahaabah (Radiahallahu Amhum) and the Tabieens (Rahmatullah Alayh), the Mujtahid used to give Fatwa but together with that they should not give its proof and nor should the people ask for its proof and nobody should reject this practice. So this is called Ijma, where the general public follow the Mujtihids and Shah Waliullah (Rahmatullah Alayh) narrates from the Shaikh Azzuddeen bin Salaam (Rahmatullah Alayh) who says that during the times of the Sahaabah (Radiahallahu Amhum) and the Tabieen, Taqleed was established with an authentic chain of successors and during that time there was not a single person who rejected Taqleed and because the compilation of their fiqh is not present today, but the 4 imaams have compiled it, so that is why we have to follow them.

Just like how the Sahaabah (Radiahallahu Amhum) and the Tabieen used to also recite the Qur'aan but in those days it was not called the Qiraat of Hadhrat Hamza (Radiahallahu Amhu) and they used to also believe in the same Hadith, but they should not call it Bukhari and Muslim.

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Taqleed in the time of Khalifah Umar Ibn Abdul Azziz(R.A.).

He restricted the authority to issue *Fatawa*, inmost districts, to a few named individuals, as he did in Egypt, when he named only three people for this purpose. Interestingly, two of them were freedmen, Yazid ibn Abu Habib and Abd Allah ibn Abu Jafar, and the third was an Arab. Jaf'ar ibn Rabi'ah. When the *Khalifah* was questioned about appointing two freedmen and only one Arab, he answered: "What fault if it of mine if the freedmen are improving themselves and your are not." Al Maqizi, Khutat, IV, 143.

GREAT SCHOLARS WHO MADE TAQLEED

THE HANAFI SCHOLARS

Imam Ibn Abadin (d. 1252/1836; al-A'lam 6.42, Hafiz Ibn al-Humam (d. 861/1457; al-A'lam, 5.255, Imam Ibn Al Shahnah al Kabeer, Imam Zufar (d. 158 AH, Imam Abu Yusuf (d. 182/798; al'A'lam, 8,193, Imam Muhammad al-Shabani (d. 189/804, al'A'lam, 6,80, Imam al-Tahawi (d. 321 AH, Imam ibn Abi al-Izz al-Hanafi, Imam Ibn Nujaim al-Misri (d. 970 AH, Shaykh Ali al-Qari (d. 1014/1606; al' A'lam 5.12, Shaykh Abd al-Haqq Dehlawi (d. 1052 AH, Allamah Abdul Hayy al-Lucknawi (d/ 1304 AH, also known as Abdul Hasanat, Shaykh Abdul Hasan as-Sindee al-Hanafi, Shaykh Aafiyyah ibn Yazeed.

THE MALIKI SCHOLARS

Hafiz Ibn Abd al-Barr (d. 463/1071; al-A'lam, 8.240); Imam Ibn Wahb (d. 197/812; Imam Abdullah ibn abee Zaid al-Qairwanee al-Malaki (d. 389 AH)

THE SHAFI SCHOLARS

Imam al-Bayhaqi (d. 458/1066); al-A'lam 1.116), Shaykh Abu Yusoof al-Buweeti,Shaykh Abdul Qasim ad-Daariki, Hafiz Ibn as-Salah (d.643/1245); Tabaqat al-Shafi'iya, 8.326); Imam Taqi ad-Deen al-Subki (d. 756/1355); al-Fatawa al-Hadithiyya, 114 ; Imam Abu Nu'aym (d. 430/1038; Tabaqat al-Shaf'iya, 4.18 ; Imam al-Bukhari (d. 256/870); Tabaqat al-Shafi-iya, 2.212-14 ; Imam Muslim (d. 261/875; Siyar a'lam al-nubala, 12.557-61 , Imam Abu Dawood (d. 275/889; Tabaqat al-Shafi-iya, 2.293); Imam Nisai (d. 309/915); Tabaqat al-Shaf'iya; 3.14-16); Imam Tirmidhi (d. 279/892); Siyar a'lam, 13.270-73 ; Imam ibn Majah (d. 209/824; al-A'lam, 7.144 ; Imam al-Suyuti (d. 911/1505; a-A'lam, 3.301-2 ; Hafiz Ibn Khuzaymah (d. 311/924; Tabaqat al-Shafi'iya, 3.109), Imam ash-Sha'rani (d. 973/1565); al-A'lam 4.180-12 ; Imam Hakam (d. 405/1014; Tabaqat al-Shafi'iya, 4.155 ; Imam ibn Asakir (d. 571 AH , Hafiz Khateeb al-Baghdadi (d. 463/1072; Tabaqat al-Shafi'iya, 4.29); Hafiz al-Dhahabi (d. 748/1348; Tabaqat al-Shafi'iya, 9.100 ; Hafiz al-Iraqi (d. 806/1404; Al-A'lam, 3.344); Imam al-Tabarani (d. 360/971; Siyer a'lam, 16.119-23 ; Imam al-Izz ibn Abdas Salam (d. 660/1262; al-A'lam, 4.21 ; Imam ibn Hibban (d. 354/965; Tabaqat al-Shafi'iya, 3.131); Hafiz ibn Hajar al-Asqalani (d. 852/1449; Al'A'lam, 1.178]); Hafiz al-Haythami (d. 807/1405; al-A'lam, 4.266); Imam al-Haramayn (d. 478/1085; Tabaqat al-Shafi'iya, 5.165); Imam Abul Qasim al-Qushayri (d. 465/1072; Tabaqat al-Shafi'iya, 5.153); Imam al-Razi (d. 606/1210; Tabaqat al-Shafi'iya, 8.81-89); Imam al-Baghawi (d. 510/1117; al-A'lam, 2.259); Imam Abu Shamah (d. 665 AH); Imam al-Nawawi (d. 676/1277; al-A'lam, 8.149).

THE HANBALI SCHOLARS

Hafiz Ibn Taymiyya (d 728/1328; al-A'lam, 1.44); Hafiz ibn al-Qayyim al-Jawziyyah (751/1350; Siyae al'A'lam, 7.202), Hafiz ibn al-Jawzi (d. 508/114; al'A'lam, 3.316) Hafiz ibn Rajab al-Hanbali (d. 795/1393,).

COMMENT

These great and prominient Scholars fell the need to make Taqleed but todays so called self styled scholar rejects its nessity and goes even further by classifing those who make Taqleed as idol-worshippers, innovators and sinners.

N.B.: The contents in the brackets (after the names of the above scholars) stand for the following abbreviations:-

'd' – the year of the scholars death, usually in Hijri and Christian dates.
al-A'lam' - this is a well known biographical dictionary by Khayr al-Deen al-Zirkly .
'Tabaqat a;-Shafi'iya' – this is a very well known dictionary listing all the famous Shafi'i scholars uptill the death of its author Imam Taj ud-Deen al Subki (Rahimahallaah).
'Siyar a'lam al-nubala' – This is a biographical dictionary by the famous scholar of Hadith-al-Hafiz Muhammad ibn Ahmad al-Dhahabi (Rahimahallaah).
'al-Fatawa al-Hadithiyya' – This is a well-known collection by the great scholar of Islam-Shaykh al-Islam Ibn Hajar al-Haytami (Rahimahallaah).

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STATEMENTS OF SCHOLARS CONCERNING TAQLEED

1) Imam Abdul Ghani an-Nablusi (d. 1143/1733, was an author of nearly 500 works said in his well-known book, Khulasat-ut-Tahqiq: "A Muslim is either a Mujtahid or has not reached the level of Ijtihad.
The one who is not a Mujtahid should follow which ever he likes of the four Madhhabs."

2) Imam Abdul Wahhab ash-Sha'rani (d973/1565) said in his book *al-Mizan al-Kubra:* However according to the Ulama, it is Wajib (incumbent) for the ordinary Muslim to follow a Mujtahid. They said that if a non-mujtahid Muslim did not follow a Muhtahid, he would deviate from the right path. All Mujtahids inferred rules from the documentary evidences they found in Islaam. No Mujtahid has even talked our of his own opinion on the Deen of Allaah Ta'aala. A person who speaks ill of any of the A'immat al-Madhabib (founders of the Madhhabs) shows his ignorance (and this is common amongst the ignorant members of the La-Madhhabi groups today).

3) Allamah Ibn Nujaim (H 970) 'Al 'shabalu Nasir; P 131 "For any person to go against the Rule/Decision of the 4 Imams is going against Ijima".

4) Hafiz-e- Hadith Allamah Ibn Humam , (h 861) in "Al Tarirr fi Usul Fiqh" "it is because of this, that certain .... Have started that Taqleed of the 4 Imams is specified..... and Taqleed to be limited to these 4 imams is correct." (552).

5) The Famous Mulla Jiwan Siddique (H1130) teacher of Auranzeb states in Tafseer Ahmadi "Ijma has occurred on that it is only permissible to make Taqleed of the 4 Imams. Thus if any Mujtahid is born (in this age) and his opinions is against that of the 4 Imams then it will not be permissible to follow it."

6) The famous Muhaadith and Mufassir, Qazi Thanullaah Panipati (H 1225) stated in "Tafseer Mashari". "After the third and fourth century there is not 5th Mazhab to follow besides the 4 Mazhabs of the Ahale Sunnat Wal Jamaat is secondary matters, and in the this matter, ijima has occurred that any opinions contrary to the 4 Mazhabs is false (Baatil) (Vol. 2, P 64).

7) Imam Ibharim Sarsksi Maaliki says in "Al-Fatuhatul Wahabia" , P. 199 that in this age after the era of the Sahabah just as Ibn Salah (R.A.) has said that is not permissible to make Taqleed of anyone besides the 4 Imams,viz., Imaam Maalik (R.A.) , Imam Abu Hanifa (R.A.) , Imaam Shafi (R.A.) , Imam Ahmed bin Hanbal (R.A.) .

8) Muhaddith Ibn Hajar Maaki (R.A.) (H 852) states on P.196 of "Farabul Mubeem fi Sahr Arbaeen" that in our time it is the opinion of the Elder Imams that it is permissible to make Taqleed of the Imam-e-Arbaa,viz, Imam Shafi (R.A.) , Imam Maalik (R.A.) , Imam Abu Hanifa (R.A.) and Imam Ahmad (R.A.) and it is not permissible to make Taqleed of another Imam.

9) If a man is called deficient in any of these things, he cannot be called a Mujtahid and should conform to one or other of the recognised schools of law (i.e. only Hanafi, Maliki Shafi'i of Hanbali schools today.
Imam Abu Hanifah: Life and work By the well known historian, Alamah Shibli Numani (pg 117).

10) Sheikh Abdul Wahad Najdi says "All praise due to Allah, we follow the pious predecessors and are not creators of a new way or innovations and we are on the Mazhab of Imaam Ahmed bin Hanbali (R.A.) (Muhammad ibn Ads Wahad of Allah Ahmed Abdul Gaffer, Attar, Beirut pat. 174,5).
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11) Son of Sheikh Abdul Wabab Najdi, Sheik Abdullaah states, "in secondary matters we are of the Mazhab of Imam Ahmed bin Hanbal (R.A.) and whosoever adheres to any of the 4 Imams we do not object. (al-Hadayatul Sunnat – op sit- Sheik Muhammad bin Abdul Wabad ke Khilaf propaganda of Moulana Mansoor Nomani.).

12) The commentor of Muslim, Sheik Muhyudeen Nuri (R.A.) states in "Rawathul Talebeen" "the Ulema state concerning

general Ijtihaad that it has terminated with the 4 Imams. All reliable and research Ulema have made the Taqleed following of any one of these Imaams upon the Umaat Waajib (compulsory). And Imam-ul-Haramain has recorded Ijima (consensus) on the making of Taqleed of one Imam (from Miral Hedayia, P.10).

13) Sayed Ahmed Tahawi (H. 1233), states the group on salvation is the Ahle Sunnat Wal Jamaat which has been concised in the 4 Mazhabs today which are Hanifi, Maalik, Shaafi, and Hanbali. And those persons in this age who are not from these Mazhabs are amongst the innovators and dwellers of the Fire (not from the Ahle Sunnat). Tahtawi Alaa Durul Muktaar, Vol. 4, P153).

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THE LOGICAL NEED FOR MAKING TAQLEED

1) This verdict, namely that one is well-advised to rely on a great Imam as one's guide to the Sunnah, rather than relying on oneself, is particularly binding upon Muslims in countries such as Britain or South Africa etc., among whom only a small percentage is even entitled to have a choice in this matter. This is for the simple reasons that unless one knows Arabic. Then even in of one wishes to read all the Hadith determining a particular issue one cannot. For various reasons, including their great length, no more that ten of the basic Hadith collections have been translated into English. There remain well over three hundred others including such seminal works as the ***Musnad*** of Imam Ahmad ibn Hanbal, the ***Musannaf*** of Ibn Abi Shayba, the ***Sahih*** of Ibn Khuzayma, the ***Mustadrak*** of al-Hakim and many other multi-volume collections which contain a large number of sound hadiths which cannot be found in Bukhari, Muslim, or the other works that have so far been translated. Even if we assume that the existing translations are entirely accurate, it is obvious that a policy of trying to derive there ***Shari'a*** directly from the Qur'aan and Sunnah cannot be attempted by those who have not access to Arabic. To attempt to discern the ***Shari'a*** merely on the basis of the hadiths which have been translated will be to ignore and amputate much of the Sunnah, leading to serious distortions.

2) The belief that ordinary Muslims, even if they know Arabic, are qualified to derive rulings of the ***Shari'a*** for themselves, is a example of this egotism running wild.

3) The fact that all the great scholars of the Deen-religion, including the Hadith experts, themselves belong to Madhhabs, and required their students to belong to Madhhabs, seem to have been forgotten. Self esteem has won a major victory here over common sense and Islaamic responsibility.

4) If one's child is seriously ill, we will ask, does one look for oneself in the medical textbooks for the proper diagnoses and cure, or should one go to a trained medical practitioner? Clearly sanity dictates the later option. And so it is in matter of Deen-religion, which are in reality even more important and potentially hazardous. We would be both foolish and irresponsible to try to look through the sources ourselves, and become our own Muftis.

5) The question is often asked why only four schools should be followed today. The answer is straightforward, while in theory there is no reason whatsoever why the number has to be four, the historical fact is that only these four have sufficient detailed literature to support them.

6) The Ulema usually recognises sever different degrees of Muslims from the point of view of their learning, and for those who are interested they are listed here, in order of scholarly status. (1, 2) the *Mujtahidun fi'l-shar (mujthids in the Shari'a)* and the *Mujtihidun fi'l-madhhab (mujthids in the Madhhab)* have already been mentioned. (3) *Mujtihidun fi'l-masa'il (Mujthids in Particular Issues)* are scholars who remain within a school, but are competent to exercise *Ijihad* on certain aspects within which they know thoroughly. (4) *Ashab al-Takhri)* (Reslovers of Ambiguity), who are competent to indicate which view was preferable in cases of ambiguity, or regarding suitability to prevailing conditions. (5) *Ashab al-Tarjih* (people of Assessment), are those competent to make comparisons and distinguish the correct (*Sahih)* and the preferred (Rajih, arjah) and the agreed-upon *(mufta biha)* views from the weak ones inside the *Madhhab.* (6) *Ashab al-Tashith* (people of Correction) those who could distinguish between the manifest *(Zihir al-riywa)* and are rare and obscure *(nawadir)* views of the schools of their following. 7) **Muqalladun** the emulators including all non-scholars. (Kamali, 387-9. See also bilmen, I, 250-1, 324-6). Of these seven categories only the first three are considered to be Mujtahids.

7) The system of *taqlid* implies that as long as the layman does not get the training for becoming a doctor he cannot practice

medicine, for example, in the case of medicine such person may be termed a quack and may even be punished today, but in the case of Islaamic Law he is assuming much graver responsibility, he is claiming that the opinion he is expressing is the Law intended by Allaah. (Introduction to *The Distinguished Jurist's Primer* xxxv).

"By Allaah, this view (that ordinary people should not follow *mudhhabs)* is nothing less than an attempt to fling the door wide open for people's individual preferences, thereby turning the Book and the Sunnah into playthings to be manipulated by those deluded fools, driven by their compounded ignorance and their corrupt imaginings. Cf. Imam al-Dajawi II 579:
8) Now, if a layman who cannot judge between he arguments of different *Madhabib* is allowed to choose any of the juristic views without going into the arguments they have advanced, he will be at liberty to select only those views which seem to him more fulfillin**g to his personal requirements, and this attitude will lead him to follow the 'desires' and not the 'guidance' --- practice totally condemned by the Noble Qur'aan.**

9) For example, Imam Abu Hanifah(R.A.) is of the view that bleeding from any part of the body breaks the *wudu*, while Imam Shafi'i(R.A.) states that the *wudu* is not broken by bleeding. On the other hand, Imam Shafi'i(R.A.) says that if a man touches a woman, his *wudu* is broken and he is bound to make fresh *wudu* before offering Salaat, while Imam Abu Hanifah (R.A.) insists that merely touching a women does not break the *wudu*.

10) Now, if the policy of 'pick and choose' is allowed without restriction, a layman can choose the Hanifi view in the matter of touching a women and the Shafi'i view in the matter of bleeding. Consequently, he will deem his *wudu* unbroken even when he had combined both the situation, while in that case his *wudu* is not valid according to both Hanafi and Shafi'i views.

11) Similarly, a traveller, according to the Shafi'i can combine the two prayers of *Zuhr* and *Asr*. But at the same time, if a traveller makes up his mind to stay in a town for four days, he is no more regarded a traveller in the Shafi'i view hence, he cannot avail of the benefit of *qasr,* nor of combining two prayers. On the other hand, combining two prayers in one time is not allowed in the Hanafi school, even when on is on journey. The only concession available for him is that of *Qasr*. But the period of travel, according to Hanafi view is fourteen days, and a person shall continue to perform *qasr* until he resolves to stay in a town for at least fourteen days.

12) Consequently a traveller who has entered a city to stay there for five days cannot combine two prayers, neither according to Imam Shafi'i(R.A.) because by staying for five days he cannot use the concession, nor according to Imam Abu Hanifah(R.A.), because combining two prayers is not at all allowed according to him.

13) If such an attitude is allowed, it will render the Shari'ah a plaything in the hands of the ignorant, and no rule of Shari'ah will remain immune from distortion. That is why the policy of 'pick and choose' has been condemned by al the renowned scholars of Shari'ah. Imam Ibn Tamiyyah, the famous *Muhaddith* and jurist, said in his '*Fatawa"*

14) Some people follow at one time an Imam who holds the marriage invalid, and at another time they follow a jurist who holds it valid. They do so only to serve their individual purposes and satisfy their desires. Such a practice is impermissible according to the consensus of all the imams.

15) He further elaborates the point by several examples he says: for example if a person wants to pre-empt a sale he adopts the view of those who give the right of pre-emption to a contingent neighbour, but if they are the vendee of a property, the refuse to accept the right of pre-emption for the neighbour of the vendor (on the basis of Shafi'i view... and if the relevant person claims that he did not know before (that Imam Shafi'i does not give the right of pre-emption to the neighbour) And has come to know it right then, and he wants to follow that view as from today, he will not be allowed to do so, because such a practice open the door for playing with the rules of the Shari'ah and paves the path for deciding the *Halaal* and *Haram* in accordance with one's desires." (*Fatawa* Ibn Tamiyyah Syrian ed 2:285,286).

16) So to be decisive concerning any situation that a clear direction has been stipulated the Qur'aan or Hadith requires tremendous wide depth knowledge. Due to ignorance there is strong possibility that one will utilise deduction wherein a clear-cut injunction exists.

17) If one is not conversant with abrogated and non-abrogated text or ruling of Sharia then there is high degree of

possibility of acting on an abrogation exists contrary to the time of the Sahabah (Radhaillahu anhu) where Shariat regulations to be acted upon were in front of them.

18) Many a times one comes across proofs which are contrary in nature from the Ahaadith than to collaborate proofs in a Ahaadith or give performance is extremely tedious and difficult. Thus reliance on the experts and authors of Jurisprudence.

19) In Ahaadith many laws are mentioned without conditions and restrictions whereas there have been to some extend on other Ahaadith. Thus without a total knowledge of all the Ahaadith one will be at a total loss like the Ghair Muqalids.

20) In Ahaadith at times there is brevity and consiseness which is expounded in some other Ahaadith. Without extensive knowledge valid proper conclusion will not be reached but one will be groping in the dark.

21) In some laws proofs are of types. Some pointing to permissibility and the other towards impermissibility. Making the rule is these conflicting circumstances are extremely difficult without letting whims, desires and personal inclinations overpowering. Thus the rule stated or formulated closest to and in the era of Rasulullaah (Sallallahu Alayhi Wasallam) will be free from adheriance to the inner-desires etc.

22) Ijtihad -Door is open-Right of Entry is reserved --Justice (retd) Dr Tanzilur-Rahman.
It is thus reported from Hadhrat Ali(R.A.) that Ijtihad can only be performed by "Fuqaha-I-Abidin" that is, the pious jurists. This saying also implies that Ijtihad should be made collectively, and not individually. Allmah Iqbal has been a great exponent of Ijtihad in the sub-continent (see lecture No 7 on Ijithad of his famous book "The Reconstruction of Religions thought in Islam". But, at the same time, he is conscious of its pitfalls by unscrupulous, incompetent and unqualified persons as apparent from his following verses:-

When the solidarity of life is divided, the nation acquires stability through Taqlid.
Tread the path of the ancestors, as the meaning of Taqlid is the consolidation of the nations.
Exercise of Ijtihad during the period of decline causes disintegration of the nation.
It is safer to follow the earlier authorities than accept the Ijtihad of unqualified scholars.

SUMMARY BY SHAH WALIULLAAH (R.A.)

A summary of what Hadhrat Shah Waliullaah (R.A.) states in Fayoosul Haramain (p 48).

1) Talqeed was prevalent in the blessed era of Sahabah (Radhaillahu anhu) and Tabeen (Radhaillahu anhu) era without objection.
2) To follow the Mazhab-e-Araba (Hanafi, Maalik, Shave, Hanbali) is following the "Sawad-e-Aazam" (the Lofty Group on Truth), and to go outside the circle of Mazhab-e-Araba tantamounts to going out of the "Sawad-e-Aazam' (which is misleading).
3) After the second century Talqeed of one person had commenced.
4) The above is a secret Ihaam (inspiration).
5) It is waajib upon the Ummat to make Taqleed of the Mazhab-e-Arbaa.
6) Taqleed is Waajib upon a non-Mujtahid.
7) There are Religious wisdoms, and benefits in making Taqleed of one person.
8) I was advised by Rasulullah (Sallallahu Alayhi Wasallam) to stay within the Mazhabe-Arbaa.
9) Mazhab Hanifia is in accordance with the Sunnay and its testimony Nabi (Sallallahu alayhi wasallam) himself gave.
10) For the common faith(non-Muqalids) to discard Taqleed is Haraam but it is the beginning of leavingthe Circle of Islaam,.

Talfeeq and changing Mazhabs if not permissible

It is not permissible to leave making Taqleed of one Imam and follow another Imam when one wishes. When this is done without permission from the Shariat it leads to Talfeeq, it also causes one to follow one's desires resulting in going far away from the truth and being lead astray.

Moulana Mohammed Hussain Sahib who opposed making Taqleed for many years and then finally being affected by the consequences of not making Taqleed writes in his Risaalah, Ishaa'atus Sunnah Vol. 11, No 2, page 53.

"After twenty five years of experience we have come to know those who leave making mutlaq taqleed or leave making taqleed of a Mujtihis-eMutlaq out of ignorance, finally leave the fold of Islam. Some of these people become Christians and some remain without any Math'hab, who do not adhere to any faith or religion. Violating the commands of Shariat, transgression and irreligiousness are the least effect of this freedom.

Similarities between Shias and Ghair Muqhaleeds

Rawafiz or Shia deny that the Sahabah (Radhaillahu anhum) are the citerion of rifgt and wrong in Deen-Religion like the Ghair Muqhaleeds.
Rawafiz state 3 Talaaqs in one session equal one, so do the Ghair Maqhaleeds.
Rawafiz say that Taraweeh is the bidat of Umar (Radhaillahu anhu) so do the Ghair Muqhaleeds.
Rawafiz state that the second azaan given near the Mimbar is an Innovation (bidat) as the Ghair Muqhaleeds say alsoand classify it is Bidaat Usmani.
Shia of Rawafiz do not accept the decision of Hadhrat Umar (Radhaillahu anhu) and Hadhrat Ayesha (Radhaillahu anha) of preventing women from the Masjid, so do the Ghair Maqhaleeds (Vol. 4, P.42 Fatawa Rahimiyah).
Shais and Ghair Muqhaleeds deny and reject the Ijma of Sahabah (Radhaillahu anhum).

SOME QUESTIONS

QUESTION 1

We have statements of the Imams denoting that they must not be followed, so why do we follow them ? Statements such as:
Imam Abu Hanifah (R.A.): "When I say something contradicting the Book of Allaah, the Exalted or what is narrated from the Rasul (Sallahu Alayhi Wasalaam) , then ignore my saying."

Imam Malik (Rahimahullaah) said: "Truly I am only mortal, I make mistakes (sometimes) and I am correct (sometimes) therefore, look into my opinions: **All that agrees with the Sunnah, accept it**; and all that does not agree with the Book and the Sunnah, ignore it. (See 'Sifah" page. x)

Imam a-Shafi'i (R.A.): "If you find my writings something different to the Sunnah of the Rasul of Allaah (Sallahu Alyhi Wasalaam) , then speak on the basis of the Sunnah of the Rasul of Allaah (Sallahu Alayhi Wasalaam) and leave what I have said."

ANSWER

We must understand the era during which these statements were made.We will realise that it was mentioned before other Mujtahids or potential Mujtahids not those who cannot even read two lines of Arabic properly.

It is obvious that such councils were for the Imams sophisticated pupils, and we never intended for the use by the Islamically-uneducated masses. Imam-al-Shafi (R.A.) etc, were not addressing a crowd of butchers, night watchmen and donkey-drivers.

QUESTION TWO :

Those people that come before the 4 Imaams, example from the time of Sahaabah (Radiahallahu Amhum) till Imaam Abu Hanifah (R.A.) did they follow any Imaam, or was Taqleed not Wajib then?

ANSWER :

This question is also not our forward by the theologians of the Ahle Sannat Wal Jamaat, but this question also comes from the Shiahs.

The Sahaabah (Radiahallahu Amhum) were more than a hundred thousand in number. Shah Waliullaah (R.A.) says the Sahaabah (Radiahallahu Amhum) were of 2 groups, Mujtahid and Mukhleed.The Sahaabah (Radiahallahu Amhum) were Arabs, but according to Ibn Qayyim there were only 149 theologians, from whom 7 gave most fatwas and 20 were gave few fatwas and 122 were those who rendered the least fatwas. The thousands of fatwas of these Mufti's are present in the following kitaabs. Musnaf ibn Abi Shayba; Musnaf Abdur Razzak; Tahzeebul Aathaar and Ma'aanil Aathaar, etc., in which the Mufti's only narrate the Masala law, and they do not narrate any Aayat or Hadith by way of proof together with the Masala and the rest of the Sahaabah (Radiahallahu Amhum) practised on these Masala's without any proof. This is called Taqleed. Regarding these Mufti's of the Sahaabah (Radiahallahu Amhum), Shah Walliullaah(R.A.) says, that the Sahaabah (Radiahallahu Amhum) was spread in different countries and in every place one Sahaabi was followed, example:

Makkah- Hadhrat ibn Abbass (Radiahallahu Anhu). Madinah - Hadhrat Zaid Ibn Thabit (Radiahallahu Anhu)
Kufa - Hadhrat Abdullah bin Maqsood (Radiahallahu Anhu)
Yemen - Hadhrat Muaaz (Radiahallahu Anhu)
Basrah - Hadhrat Anas (Radiahallahu Anhu)

Then after them it was the era of the Tabieens. Hadhrat Shah Walliullaah (Rahmatullah Alayh) says that every Tabee Aalim had a line of following and they became the Imaams of each city and the people used to follow them.

This is such a question, as if a person says was the Qur'aan recited before the 10 Qaris came, or the Sahaabah (Radiahallahu Anhum) did not read Bukhari or Muslim or was it not necessary to believe in Hadith.

QUESTION THREE

Was any Mujtahid born after the 4 Imaams, or can any Mujtahid be born or not?

ANSWER :

This question is in relation to history. Shah Waliullaah (Rahmatullaah Alayh) says, a true Mujtahid has not been born 300 year after Hijra and Imaam Nawawi (Rahmatullah Alayh) has mentioned in Sharah Mahzab, that for a true Mujtahid to come is not imposssible according to Shariah, but what will they come to do? If any Muhaddith through his claim regards the entire Sahih Bukhari as false and has no respect and honour for the Hadith and Muhadditheen, then what benefit does he do for deen.

QUESTION FOUR

What are the proofs, for only one Imaam's Taqleed to be Waajib and also explain its laws?

ANSWER :

Just like in Yemen Hadhrat Muaaz (Radiahallahu Anhu) was a Mujtahid and the public used to follow him. See section "Taqleed in the era of the Sahabah" for more details.

Shah Waliullaah (Rahmatullah Alayh) says , that one Imam's Taqleed is Wajib on the public and it's proof is Ijma.

QUESTION FIVE

Imaam Abu Yusuf and Imaam Muhammad (Rahmatullah Alayh) were the students of Imaam Abu Hanifa (Rahmatullah Alayh) and they also used to follow him, then why did they not have the same views regarding certain Mas'alas?

ANSWER :

Imaam Abu Yusuf and Imaam Muhammad (Rahmatullah Alayh) were both Mujtahids and it is not necessary for one Mujtahid to follow another Mujtahid and if they do follow another Mujtahid then too it is permissible.

The Outcome of Rejecting Taqleed

The Testimony of Moulana Mahomet Husein Batalwi

From 50 years of experience, we have come to know that those people that make Taqleed without any knowledge will eventually leave the fold of Islaam. Some will turn to Christianity. Some will be come achiest. From these Faasiqs, some of them openly leave out Jummah Namaaz and fasting, they do not stay away from interest and wine, and some of them because of dunya outwardly stay away from sins, but are involved in sin secretly. They marry women in a haraam manner. Dunya is the cause of Kufr, Apostasy, and Sin. But for the Muslims to come out of the fold of Islaam, because of ignorance regarding Taqleed is a very serious matter.

It is common now to see activists prowling the mosques criticising other worshippers for what they believe to be defects in their worship, even when their victims are following the verdicts of some of the leading Imams of fiqh.

Salvation or Destruction

Hadhrat Abu Hurairah (Radiahallahu Amhu) said that no doubt Rasulullah (Sallallahu alayhi wasallam) had mentioned: "That three things grant salvation and three things cause destruction."

Those things that grant salvation are:

1. To have the fear of Allaah under all conditions.
2. To speak the truth in all conditions, happiness or sadness.
3. To choose moderation whether you are rich or poor.

Three Things That Cause Destruction:

1. to follow your carnal desires.
2. To be stingy.
3. To have pride on one's opinions.

RasulullaAh (Sallallahu alayhi wasallam) mentioned that from the three the last one is most destructive. (Mishkaat). Hadhrat Shaikh Abdul Gani (r.a.) narrates from Mullah Ali Qari (Rahmatullah Alayh) that this Hadith is a proof regarding those people who do not follow the 4 imaams and these are the people who will fall into destruction.

By Allaah, this view (that ordinary people should not follow *mudhhabs)* is nothing less than an attempt to fling the door wide open for people's individual preferences, thereby turning the Book and the Sunnah into playthings to be manipulated by those deluded fools, driven by their compounded ignorance and their corrupt imaginings. Cf. Imam al-Dajawi II 579:

And has come to know it right then, and he wants to follow that view as from today, he will not be allowed to do so, because such a practice open the door for playing with the rules of the Shari'ah and paves the path for deciding the *Halaal* and *Haram* in accordance with one's desires." (*Fatawa* Ibn Tamiyyah Syrian ed 2:285,286).

One who does not make Taqleed will follow ones whims, fancies ,desires and external motications to reach decisions which is against the Shariat of Islaam.Underlying are few ayaats showing the detestments of following ones desires.

Ayats on Following the Nafs

1) “But he clung to the earthly life and succumbed to his fancies. He was like the dog which pants whether you chase it away or let it alone” (7/176).

2) “Do you see the man who makes his desire his God, the man whom Allaah leaves in error, setting a seal upon his ears and heart and drawing a veil over his eyes? Who then can guide him after Allaah (has withdrawn guidance)? Will you not take heed? (45-23).

3) “Can he who follows the guidance of his Rabb be compared to him whose erroneous actions are made to seem fair to him, and to those who follow their desires?” (47-14).

4) ‘Nor obey him whose heart We have made Heedless of Our Remembrance; who follows his desires and whose case exceeds due bounds” (18-28).

5) “And if after all the knowledge you have been given you yield to their desires, there shall be none to help or protect you from the wrath of Allaah” (2-120).

6) “And do not yield to their fancies from the truth that has been made known to you” (5-48).

7) “And do not be led by their desires”. (5-49).

8) “And do not yield to the desires of ignorant men, for they in no way can protect you from the wrath of Allaah” (45-18).

9) “Rule with justice among men and do not yield to lust, lest it should turn you away from Allaah’s path” (38-26).

10) “And who is in greater error than the man who is led by his desires without guidance from Allaah? Allaah does not guide the evil-doers.” (28-50).

FEW TESTS FOR THE GHAIR MUQALEEDS
First Test

When you meet a Ghair Muqaleed give him the Qur’aan and a few Hadith books and ask him to show you the perfect way of performing Salaat. Is it a verbal or an oral Ibadat. First ask him the laws of each action. It is Fardh, Wajib, Sunnat or Nafl? Tell him to show you this from Qur’aan and Hadith. He will never be able to show you till Qiyamaat. He will be distressed and say to you that we do not believe in anything being Sunnat, Wajib, of Nafl. These laws are innovations. You should immediately ask him what is the law of rukhy, to recite Sura Fatiha behind the Imaam, top place hands on a chest, to say Aameen in a loud voice. If these are not Fardh, Wajib, Sunnat, of Nafl, then those that say it is Farz, Wajib, etc., are all innovators. Then state to him that when you are not an Imaam of a Masjid, you perform a Fardh behind a Imaam, and Sunnat and Nafl on you own, then ask him to show you from the Qur’aan and Hadith that when a Muqtadi-follower or a person who performs his own namaaz whether he should say, Takbire Tahrima, Thana Ta’awuz, Tasmia, Aameen, Takbir, Tasbihs of rukhu and Sajda, Tashaadad, Durood, Duaa and Salaam softly or in a loud voice. He will never be able to show you clearly from the Qur’aan and Hadith. Then make him note down, that I have spoken a lie on the Qur’aan and Hadith and I cannot even show perfect way of performing Namaaz from the Qur’aan and Hadith and till today I was reading all my Namaazes following my Moulana. After writing this, you should ask him the name of his follower and test him in the same way. You will see that he is also a big liar and he will not be able to even show you the perfect way of performing Namaaz from the Qur’aan and Hadith.Whenever you meet a Ghair Muqalleed, you should tell him that he does not know anything from the Qur’aan and Hadith and he should not go on speaking lies on the Qur’aan and Hadith.

Second Test

Take Taleemul Islaam, Bahishti Zewar or Urdu Fatawa Alamgiri and read each Masala and tell him to give you a proof from the Qur'aan and Hadith, for all those Masalas-laws which he regards as incorrect. And then tell him after completing the book , that if you give us strong proof from the Qur'aan and Hadith for all of those masalas which you regard as incorrect , then only will I accept your view.

Third Test

Take Tahawi Shareef, Musnaf ibn Abi Shai'ba or Musnaf Abdur Razzaak and narrate the contradicting Ahadith and ask him to solve the contradiction with a Sahih Hadith and not with an individuals statement or principal, he will be helpless and unable to achieve a solution. Only one solution is applicable and that is to follow the Mujtahid by acting on the more superior Hadith. This is Taqleed.

It is clean from the above that these people are ignorant regarding Qur'aan and Hadith. Yes, harbouring ill thought and being impertinent to the ancestors have been termed as practising on Hadith. Perhaps practising on "the latter part of this Ummat will curse the foremost" is termed as practising on Hadith.

1

Their Taqleed

In language they blindly trust the Philogist which is their Taqleed. The Ghair Muqaleeds disciples follow the Muhadditheen in regard with the authenticity and the weakness of a Hadith, the principles of Hadith and the narrators of Hadith. In Grammar and Etymology they do not feel ashamed to follow a Grammarian. They deem it necessary to follow a doctor by taking the prescribed medication. Regarding legislative laws they follow a controversialist (one well versed in law). Only regarding Islaamic Jurisprudence, instead of following the Theologians, they follow incapable Ulema. Following and consulting the incapable is a sign of Qiyamaah. Rasulullaah (Sallallahu alayhi wasallam) is reported to have said that when duty is entrusted to an incapable person, then await the coming of Qiyamaah (i.e. wait for turmoil and destruction). This is just as one who takes medical treatment from a shoemaker, or advice regarding legal matters from a blacksmith. In Tafseer, instead of following Hadhrat Abdullaah bin Abbaas (R.A.) they follow Mirza Qadiyani. In Hadith , Aslam Jirajapuri and Parwez are given preference and regarded more authentic than Imaam Bakhari and Imaam Muslim.

Reward and Punishment

"When the judge passess a verdict and exerts in doing so, he will receive double reward if he is correct and a single reward if he err's" (Sharh Muslim--vol. 12 p13)
Rasulullaah (Sallallahu alayhi wasallam) has said, "That whosoever gives his own opinions regarding the Qur'aan, his abode shall be Jahannum (Tirmidhi) And he mentioned that whosoever gives his own opinion regarding the Qur'aan, then he will be turned a sinner, even if it happens to be on the truth. (Tirmidhi).

Imaam Nawawi (Rahmatullah Alayh) says: "That it is an agreement between all Muslims that a Mujtahid gets a reward for every Ijtihaad (i.e. every problem that is solved after deep thought). If his Ijihaad is correct, then he is worthy of 2 rewards,one reward for his earnest effort and the other reward for his correctness. And if his Ijtihaad was not correct, then too he will get one reward for his earnest effort. And an unworthy person is not allowed under any circumstances to make Ijtihaad, but is regarded as a sinner, whether it happens to be correct or incorrect, because it is only by a mere coincidence that he got the correct answer and not on the foundation of Shariat. So he is regarded a sinner in all these cases, whether it is correct or incorrect and all his own opinions are rejected and non of his excuses are accepted, according to Shariat and he is regarded as a Jahannami (Sharah Muslim).

The Blind Taqleed

Today the people taunt and say that followinf of the Imaams of Fiqh is blind Taqleed. Unfortunately these people don not even know the meaning of blind Taqleed. Blind Taqleed is when one blind person runs behind another blind person and both fall into a ditch. And if a blind person follows a person who can see, so this person with the blessing od vision will save the blind person from falling into a ditch, and will make him reach his destination. The 4 imaams are not blind. They

are the pious servants of Allaah. Blind Taqleed is also this, that they themselves are blind and their imaams are also blind regarding Ijtihaad. That is why Nabi (Sallallahu alayhi wasallam) has said: "That if an ignorant person make his leader a person who himself is ignorant, then he will be lead astray"

LAST WORD

It is our advise that those who are making Taqleed should know fully well that they are on the path of the "Ahle Sunnat Wal Jamaat" and to those who unfortunately deny or reject Taqleed must repent to be counted amonst the group whose name even was given by Rasulullaah (Sallahu Alayhi Wasalaam). Presently the Ghair Muqaleed is misled and misleading.

May Allaah Ta'aala grant us the ability to conform to the teaching of Nabi (Sallahu Alayhi Wasallam) as expounded by the Ahle Sunnat Wal Jamaat.

1419-1998

The Sahih of al-Bukhari (d. 256 A.H. = 870 A.D.)
The Sahih of Muslim (d. 261 A.H. = 875 A.D.)
The Sunan of Ibn Maja (d. 273 A.H. = 887 A.D.)
The Sunan of Abu Da'ud (d. 275 A.H. = 888 A.D.)
The Jami of al-Tirmidhi (d. 279 A.H. = 892 A.D.)
The Sunan of al-Nasa'I (d. 303 A.H. = 915 A.D.)

Imaam Abu Hanifa (Rahmatullahi Alayhim) Born 80 A.H.
Imaam Malik (Rahmatullahi Alayhim) Born 95 A.H.
Imaam Shafiee (Rahmatullahi Alayhim) Born 150 A.H.
Imaam Ahmad bin Hambal (Radhaillahu anhu) Born 164 A.H.

Deen ki Bunyaade aur Taqleed ki Dharoorat

THE FOUNDATIONS OF ISLAAM AND THE NECESSITY FOR TAQLEED

Preface:

All praise is due only to Allaah. We laud Him and beseech His aid and beg forgiveness only from Him and believe in Him and rely solely on Him. We seek salvation in Him from the evils of our inner selves and the vices of our actions. There is none to misguide one whom Allaah intends to guide. I bear witness that there is no one worthy of worship but Allaah, the One who has no partner. I also testify that Hadhrat Muhammad ρ is the faithful servant and the Last Rasul of Allaah. May Allaah Ta'ala's mercy be on him, his family and his Sahabaah τ and may He bless them and raise their status.

Allamah Saeed Ahmed Palanpuri (May Allaah protect him), in his opening has explained that the book was compiled from 3 speeches, 2 in India, one in London U.K and elucidations included from Shah Waliullaah (A.R)'s master piece "Hujjatul Allaah ul Balaigha."

This work will benefit one against the 'rejectors of Ahadeeth' and 'Deniers of Taqleed.'

Thus this book has various discussions, firstly the 3 speeches, secondly from Shah Waliullaah (A.R) the stress of adherence to Taqleed and warnings against discarding it, thirdly the Shari order on those who not follow any Mazhab, fourthly the status of Sahabah τ and fifthly on academic deliberation on the Hadith, "My Sahabah are like stars whomsoever you follow you will be guided."

Excellent discources on the fundamentals of Deen, viz : Quraan, Sunnat, Ijma and Qiyaas have been done and simplified for the lay person to understand. Then the need and importance of Taqleed expanded to conclude with removing any doubts on the Hadith "My Sahabah are like stars whomsoever you follow you will be guided."

We have modified the translation of the speeches slightly to facilitate easy flowing English rendering and reading.

May Allaah Jala Majdahu accept the efforts of Allamah Saeed Ahmed Palanpuri and save us from ideas, concepts and darkness of the current Salafis or Ghair Muqallids or Ahle Hadith or no Mazhab followers.

A. H. Elias (Mufti)
1427 / 2006

About the Author:

Hadhrat Moulana Hafiz Mufti Saeed Ahmed Palanpuri studied in the renowned Darul Uloom Deoband – India. Taught in Jamia Ashrafia – Gujuraat for 9 years and currently lecturing in Darul Uloom Deoband for the last 32 years. He has tutored in every science of the Dars Nizaami and has become world famous for his discources and deliberations on Tirmidhi. An average of +_ 1000 students attend these dynamic presentations daily. Fortunetly it has been documented and soon to be released. Student's acknowledgeing his vast, intense depths of knowledge generally refer to him as "Allamah" and "Bahr ul Uloom".

Besides his tours of U.S.A, U.K, Canada, Zambia, Zimbabwe, Malawi, South Africa and Turkey, he has written extensively especially for the scholars.

He has full command over 5 languages i.e Arabic, Persian, Urdu, Gujuraati and English.

Presently in his life 5 of his works are used as standard text books in higher Institutes of Learning. He has penned works of reputable level on Tafseer, Ahadeeth, Principles of Tafseer, Principles of Ahadeeth, History of Ahadeeth compities, Syntax, Grammar, Etermology, Jurisprudence, Philosophy and logic.

His latest gigantic master piece is the 5 volumes, commentary of the magnus opus of Hadhrat Shah Waliullaah Dehlevi (A.R) "Hujjatullaah Baligha" – called Rahmatutalllah ul Wasiyah" each volume extending over 850 pages. He has acclodates from most of academic sources of the world for these sterling services.

This year (1426-2005) we intend translating few of Hadhratul Ustaad Allamah Saeed Palanpuri's works and on completion

"Fatawa Rahmiyyah," we hope to embark on the translation of "Rahmatullaahi Wasihyaa." We require your duaas.

The current work explains with proof and laws of the Sunnan of the Ambiyaa υ. May Allaah Jalla Majdahu, grant us the ability to read, study and act upon.

A. H. Elias (Mufti)

The (Bunyaad) Basis of Islaam

"And whoever opposes the Rasul after the guidance (of the Qur'aan) has become manifest (clear) to him, and then adopts a way other than that of the Mu'mineen, We shall allow him to do that which he is doing – and then We shall cast him into Jahannam. And it is the worst of abodes."

The Deen of Islaam is based on three fundamental sources:

1. **The Kitaab of Allaah;**
2. **The Sunnah of Rasulullaah ρ;**
3. **The Ijmaa' of the Ummat.**

1.) The Qur'aan Shareef:

The whole of Islaam is based totally on what Allaah has revealed in His Kitaab. This is the first source of Deen. Everything else will be weighed in its light. Rejecting the Quraan is Kufr.

2.) The Sunnah of Rasulullaah ρ:

The sayings and ways of the Nabi of Allaah. This is also a Hujjat (Basis/Proof) in Deen. A great portion of Shariat is based on this. There are many proofs for this in the Quraan. It is necessary to accept the Sunnah as Deen and to follow this way.

1. **Allaah Ta'aala has said: "Take that which the Rasul has given you and abstain from that which he forbids" [Surah Hashr Aayah no. 7]**
2. **"And whoever obeys the Rasul has in fact obeyed Allaah – and whoever turns away? Then we have not sent you as a guardian over them."**

Like this, there are many Aayaat supporting the Hadeeth of Rasulullaah ρ as being Hujjat in Deen.

3.) Ijmaa' (consensus) of the Ummat.

Anything upon which the Ahlus Sunnah wal Jamaa'ah unanimously agree is called Ijmaa' – this is also a Hujjat in Deen.

In support of this, Imaam Shaafi'ee Rahimahullaah presented the following Daleel from the Qur'aan:

"And whoever opposes the Rasul after the Guidance has become clear, and then follows a path other than that of the believers, We shall grant him respite to do as he wishes and then We shall cast him into hell…" [Surah An Nisaa 115]

This is a very comprehensive Aayah in that all three things are mentioned together as being Hujjat in Deen.

Imaam Shaafi'ee's extracting this Daleel is a sign of his deep understanding in Deen. Had he not presented this Daleel for us, we would never have found it.

- **"Opposing the Rasul"** In this the Sunnah is indicated.
- **"…after Hidaayat becomes manifest"** Hidaayat here is the Qur'aan

So opposing the Hadeeth or Sunnah will lead a person to Jahannum. If a person says that the Qur'aan is sufficient for me, I am not in need of anything else, and I will follow the Quraan and nothing else – then Allaah says:

"… We shall cast him into Jahannam!"

This person will enter Jahannum despite following the Quraan! This is because he has opposed the Rasul ρ. It is necessary to obey the Rasul ρ just as it is necessary to accept the Quraan.

Then it is quite clear that no person can act on the Quraan or follow the Quraan while side stepping the Hadeeth and Sunnah. The details of all mentioned in the Quraan is in the Hadeeth - As if the Hadeeth is an explanation of the Quraan.

In the Quraan we have been commanded to observe Salaat and give Zakaat etc.

The details of all these commands can only be found in the Hadeeth. But this is not the end of the story.

There is a 3rd part to the Aayah:

"…and he follows a path other than that of the believers…"

The people who do no follow the way of the Mu'mineen will also go the way of the first group.

We are charged with three things in this Aayah:

1. **To follow the Hidaayat (guidance) of the Quraan ;**
2. **To follow the Sunnah of the Rasul ρ ;**
3. **To follow the way of the believers .**

Whoever follows this Aayah fully is on Haqq and is guaranteed salvation [Najaat]. Those who take part of the Aayah and leave what they do not like are in danger.

"**Do you believe in part of the Kitaab while rejecting part of it? What else can be the punishment of such people besides disgrace in this world and the severest punishment on the day of Qiyaamah"** *[Baqarah Aayah no. 85].*

Among the 'Muslims', there is no one who rejects the Quraan. Rejecting even part of the Quraan will render a person out of the

fold of Islaam immediately. Even an attempt to 're-interpret' the meanings of the Quraan is Fisq (transgression) at the very least (if not Kufr).

The Munkireen (rejectors) of Hadeeth:

The second basis of Deen is the Hadeeth of Rasulullaah ρ.

But here begins the Ikhtilaaf (differences) - There is a group who call themselves the Ahlul Qur'aan, who maintain that the only source of Deen is the Qur'aan. They say that the Ahaadeeth are not totally reliable, hence they are selective in their acceptance of Hadeeth, while some of them reject Ahaadeeth outright.

They say that they are Ahlul Qur'aan (people of the Qur'aan) but this name is deceptive. Infact, they are far from being 'People of the Qur'aan'. The Muslims have more fittingly branded them 'Munkireenul Hadeeth' (rejectors of Hadeeth).

These people are not part of the Ahlus Sunnah. Infact there is great fear regarding their Imaan!

The Ghair Muqallideen:

Then came the second crowd. They say: 'Islaam is founded on the Qur'aan and Hadeeth!

They reject the Ijmaa' of the Ummat. To the extent that most of them even reject the Ijmaa' of the Sahaabah τ! Their claim of Qur'aan and Hadeeth is very much like that of the 1st group. The wording is correct but the purport is deceptively false.

They call themselves 'Ahlul Hadeeth' very much like the 1st groups 'Ahlul Qur'aan'.

The Ahlus Sunnah calls them Ghair Muqallid. The Arabs call them 'Laa Madh-habiyyah'[1]

Now they have started using themselves 'Salafi'. Call themselves what they will – something today, something else tomorrow?

The Basis of this group

This group accepts the Qur'aan. Then they claim to accept the Hadeeth as well. But here they have opened their own route. They class Hadeeth as Saheeh and Dha'eef[2] (authentic and weak). They accept Saheeh and reject Dha'eef. And this classification is carried out at their will. They do not accept the classifications of any of the Imaams of Hadeeth. So this is a summary of their self-styled acceptance of Hadeeth. They do not accept the Ijmaa' of the Ummat and not even the Ijmaa' of the Sahaabah. Their entire 'Madh-hab' is based on this.

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[1] A wonderful Kitaab has been written by Shaikh Sa'eed Ramadan of Syria– 'Al Laa Madh-habiyyah wa Khutooratihaa fee Hadmi Sharee'atil Islaamiyyah' (the Laa Madh-habiyyah group and their dangers in destroying the basis of Islaam)

[2] Among the Ghair Muqallid scholars of recent times was one Naasiruddeen Albaani. He was a revert Muslim. He studied on his own until he developed a good overall ability in the science of Hadeeth. But he has created a great amount of confusion and harm among the Muslims.

In the science of Hadeeth, there are 3 general classifications: Saheeh (strong), Dha'eef (weak) and Maudhoo' (fabricated). All the Muhadditheen, from the earliest times have accepted Dha'eef Ahaadeeth in their Kitaabs with some conditions. As a result, in certain instances, a Dha'eef Hadeeth will be used as a Hujjat. Maudhoo'aat are not accepted at all. In Istidlaal (extracting proofs), Saheeh Ahaadeeth are used. If no Saheeh Hadeeth is available, then a Dha'eef Hadeeth will be used. In regard to Fadhaa'il (virtues), Dha'eef Ahaadeeth are accepted unanimously. Many of the major Hadeeth Kitaabs contain Dha'eef Ahaadeeth. There is much detail in this regard as well – but this is sufficient here.

Till Shaikh Albaani came along. He devised his own set of laws in Usoolul Hadeeth which were totally in conflict to those of the Mutaqaddimeen (early scholars). He cast all Dha'eef Ahaadeeth into the lot of Maudhoo'aat. He wrote 'Silsilatul Ahaadeeth As Saheehah' and Silsilatul Ahaadethid Dha'eefah wal Maudhoo'ah wa Atharuhaa fil Ummah'. In these two books, he has caused untold damage to Islaam. **By this approach, the 'Salafis' have destroyed the entire basis of Deen.**

The Shee'ah:

This is a famous group. They also reject Ijmaa'. They 'accept' the Qur'aan in their own way. Some of them do not accept our Qur'aan at all, while some of them say that our Qur'aan is incomplete. The hidden Imaam ran away with their Qur'aan. Yet they will never openly admit this, for then they will be exposed for what they truly are. Have a look at their Kitaabs, you will be shocked at the trash contained therein.

They are the Yahood of this Ummat and their beliefs are laughable. Their entire religion is based on mystery and dark secrecy called 'Taqiyyah' which in essence is nothing short of Nifaaq (hypocrisy).

They 'accept' Hadeeth. But they have their own collections of Ahaadeeth.

They reject Ijmaa' totally. Hence the first Ijmaa' of the Sahaabah and the Ummat i.e. on the Khilaafat of Abu Bakr τ is not accepted by them. The entire Ummat at the time had taken Bai'at (allegiance) on the hand of Abu Bakr, then to Umar and then to Uthmaan and then to Ali τ. Even Ali and Abbaas τ took the Bai'at to the first three Khulafaa. The entire Muslim Ummat has accepted this. These dimwits do not. They were not even around at the time!

This is the first and greatest proof against them. They popped up many years later under very dubious circumstances, but this is a topic of its own.

They have some other 'sources' of their Deen but we will not go into them now.

In short, they are a group of their own. Even they have acknowledged this. They have their own 'Deen'. This religion of

theirs is as far from the Deen of Islaam as is Christianity and Judaism.

Mr Maudoodi's group:

Mr Maudoodi started of on the right track. He was a 'highly educated' fellow. He studied under Mufti Kifaayatullaah Rahimahullah for a while. His initial works were masterpieces. Later he founded the Jamaate Islaami. He became obsessed with the subject of Khilaafat. Several leading Ulama even supported him at the time. His obsession with his movement later became the means of his coming apart. This can be gauged from his latter writings.

In short, he first criticized Taqleed then rejected it (this opens the way to free thinking). Ultimately, he rejected the Ijmaa' of Sahaabah and in his criticism, did not pay any consideration to their exalted rank, till finally, he even took the Ambiyaa to task!

They have tried to cover some of these things up since, but these matters now and then crop up from behind the smokescreen.

Their claim is: 'Intellectual slavery of anyone besides Allaah and His Rasul is not permissible' – As is common with all these people, big words and theories, which in reality are very shallow and deceptive.

So these are the three main groups in the world today who reject the Ijmaa of the Sahaabah and the A'immah τ.

Muhammad Paalan Haqqaani (Muhammad is his name, Paalan is his father's name) has written a Kitaab: 'Ghair Muqallideen kaa Khulafaae Raashideen se Ikhtilaaf' in which he has detailed the differences the 'Salafis' or whatever you want to call them, have with the Masaa'il which the Khulafaae Raashideen had ordained in their time with the Ijmaa' of the Sahaabah.

So weigh these groups in the light of the Aayat that we began with.

Shah Waliyullaah and the Ghair Muqallideen:

Shah Waliyullaah is among the greatest Muhadditheen of the Ummat. He is the Musnidul Hind i.e. all the Sanads of Hadeeth in the sub-continent pass through him. To lend weight to their cause, the Ghair Muqallids of Hind claim that Shah Saahib was like them. This is a common ploy of these types. In this way they try to mislead simple-minded Muslims –

And listen! Those of you who are not linked to the Ulamaa are at risk of being misled by these chancers -

Anyhow, to set it straight, in Hujjatullaahul Baalighah, he has written on the topic in great detail. He wrote about the two schools: the "Ahlur Ra'i" and the "Ahlul Hadeeth" and who they are.

The Imaams of the 'Ahlur Rai' are Imaam Sha'bi, Ibraaheem Nakha'ee, Auzaa'ee, Ibn Abi Laila, Shubrumah, Abu Haneefah and his students.

The Imaams of the Ashaabul Hadeeth are The 7 Fuqahaa of Madeenah, Imaam Maalik, Shaafi'ee, Ahmad, Sufyaan Thauree, Ibn Mubaarak etc.

The Importance of Taqleed:

The Fiqh of the Ahlur Rai was then codified by Imaam Abu Haneefah. After this there was no great Ikhtilaaf among this group.

The Ashaabul Hadeeth had many differences in their Fiqh among themselves. Several Madh-habs originated among them. With the

passage of time, these Madh-habs then evolved and were incorporated into three. In this way, four Madh-habs were codified and accepted. These four Madhaahib in turn encompassed all the Ilm of the Aimmah and the various Fataawah (Rulings) of the Sahaabah. Taqleed of the four Imaams was then unanimously accepted by the Ijmaa' of the Ummat.

There is great wisdom and protection in this Taqleed.

After this, Shah Saahib writes:

"People should beware, and not confuse the Ashaabul Hadeeth mentioned above with the present day newly emerged sect who call themselves the Ahlul Hadeeth. The Ahlul Hadeeth of today are very much similar to the Zaahiriyyah sect of the earlier period. These people are the Laa Madh-habiyyah and Ghair Muqallideen. They do not accept the Ijmaa' of the Sahaabah and the Aimmah, nor the Aathaar (sayings and actions) of the Sahaabah, nor do they accept Qiyaas (analogical reasoning) as a Hujjat in Deen. These are not part of the Ashaabul Hadeeth."

In another Kitaab, 'Al Aqdul Jayyid', he has dealt with this subject in detail.

Salafiyyat – A deception:

In more recent times, these Ghair Muqallids have taken on a new name i.e. 'Salafi'. So they have presented the same old thing in a new guise. Many fresh and free youngsters have fallen into their trap and the group suddenly gained a fresh wind – and, as with most deviant groups, the bulk of their followers are ignorant masses. The common layman cannot understand the finer details of Usoolud Deen (the principles of Deen). Anything presented to him will be swallowed. This is because he cannot judge these things in the light of Ilm due to lack of it. This is how falsehood spreads among the Muslims.

So these are two paths in front of us; One is a new way, invented by 'enlightened mushrooms' of this belated age – the other is an attested path, laid down by men who were oceans of Ilm and mountains of Taqwa. The 'Muqallideen' are the followers of the Aslaaf (pious predecessors) and are thus the true "Salafis". The Ghair Muqallid crowd are on a path of their own. They have opposed the Aslaaf at every turn. They have hijacked the term Salafi in a most deceptive way - And a strange world it is.

Differences in understanding Nusoos[3]

Understanding Qur'aan and Hadeeth correctly is not the work of every doctor, professor and cabbage farmer! This is a very deep and specialized field. There is no shortcut in this path. And it is impossible to lay claim to Itaa'at (obedience) of Allaah and His Rasul ρ without following the great Aimmah of the past.

Here is one example:

The differences in the method of Iqaamah:

There is a Hadeeth: "Bilaal was ordered to say the Adhaan in two's (evenly) and the Iqaamat in one's (odd no.)

According to Imaam Shaafi'ee and Ahmad, it means to say the words of Iqaamat once each, but 'Qad Qaamatis Salaat' will be said twice. (the Takbeers will be said twice).

According to Imaam Maalik even 'Qad Qaamah' will be said once.

Imaam Abu Haneefah says the meaning of the Hadeeth is to say every set of words in one breath. The further Daleel (proof) is the

[3] Nass refers to Qur'aan and Hadeeth

Riwaayat (narrations) in Abu Dawood reported by Abu Mahdhoorah τ who was appointed as Muadhin in Makkah. He says that Nabi ρ taught him to say the Iqaamah in 17 sentences.

The Hanafis thus practice upon both Ahaadeeth in this way.

The other thing is that the other A'immah, according to their prescribed method of Iqaamah are not practicing on the first Hadeeth either because the Takbeer and Qad-Qaamah are both said twice.

This is how differences in understanding Nass come about.

Some of the Imaams practice on 'Asahhu maa fil Baab' the most Saheeh Hadeeth in the chapter. Imaam Abu Haneefah's method is of Tatbeeq and Jama' (reconciling Ahaadeeth and practicing upon all the Ahaadeeth in question).

Our difference with the Ghair Muqallids

So one of our fundamental differences with the Ghair Muqallideen is that they do not accept the Ijmaa' (consensus of opinion) of Ummat as a Hujjat (proof). They are ardent Muqallids of their Ghair Muqallid Ulamaa. For all the hue and cry against Taqleed, they are the most hardline Muqallids themselves. All the fuss is nothing but a plot to create confusion among the Muslims and thus take them off their objective i.e. Amal (practice)

No getting around Taqleed:

Listen! In all fields of life, pertaining to Deen or Dunya, there is no getting around Taqleed. Call it what you will, every person is a Muqallid in his field. The question is whose Taqleed – so in the matter of Deen, you will either have to follow the mainstream Ahlus

Sunnah and the true Salafis i.e. one of the four Madh-habs or else you have the option of following these self-styled scholars who reject the Aathaar of Sahaabah and the Ijmaa' of the believers.

The Ahle Hadeeth:

One group claimed to be Ahle Qur'aan. This term is deceptive. They are not people of Qur'aan. We are the people of Qur'aan. They are a group who reject Hadeeth and Ijmaa' while claiming to follow Qur'aan.

Similar is the case of the Ahle Hdaeeth. We are the followers of Hadeeth. They claim to accept Qur'aan and Hadeeth while rejecting the Aathaar and Ijmaa' of Sahaabah. It does not mean that they follow Hadeeth while we follow our Imaams and not Hadeeth.

Go and have a look in the Islaamic Libraries! The Imaams, their Ustaads and their students have authored all the major Kitaabs on Hadeeth. Let the Ghair Muqallids present any reputable work on Hadeeth! The entire treasury of Hadeeth that is before the Ummat today is the fruit of the toil of the Muqallideen. These fellows then came along and either plagiarized the works of others or added their unwanted side notes and useless commentaries on the great works of the Ulamaa.

The Ghair Muqallid/ Salafi/ Ahle Hadeeth are sects who accept Quraan and Hadeeth only. They do not accept the Ijmaa' of the Sahaabah nor the Ijmaa' of the Ahlus Sunnah. They will not admit this directly, but have a look at their Madh-hab – it will shine forth brighter than daylight.

Exactly the same is the case of the confounded Qaadiyaani sect. They will never negate the Khatme Nabuwwah openly. They say Muhammad ρ is Khaatamul Ambiyaa – then they say Ghulaam Ahmad is also a Rasul! So they invent their own concept of Khatme

Nabuwwat. Neither here nor there. Just like all the others… Again have a look at their works.

The Ahlus Sunnah wal Jamaa'ah:

We are the Ahlus Sunnah wal Jamaa'ah. Remember this!

We follow the path of Muhammad ρ and His companions – the way of the Khulafaae Raashideen. This encompasses all that is in the Qur'aan and Hadeeth in the most complete way. This way was handed down to us by our Imaams who were the safe guarders and trustees of the Ilm of Nabuwwah.

We follow the Qur'aan, the Rasul and the path of the Mu'mineen.
To conclude with the Aayah we started with:

"And whoever opposes the Rasul after the Guidance has become clear to him, and follows a way other than that of the Mu'mineen, we shall allow him to do what he does and then we shall throw him into hell – and it is the worst abode" ***(Surah An Nisaa – 115)***

The Authority of The Hadeeth, Ijmaa' and Qiyaas

"And whoever opposes the Rasul after the guidance has become clear to him, and he follows a way contrary to that of the Mu'mineen, we shall allow him to do what he is doing and then enter him into Jahannam." *(Surah An Nisaa 115)*
"…And we have revealed the reminder (Qur'aan) to you so that you may explain to mankind that which has been revealed to them and so that they may reflect"
(Surah An Nahl 44)

This is a Risaalah (booklet) on the Hujjiyyat (proof/authority) of Hadeeth, Ijmaa' and Qiyaas. The Ahlus Sunnah have accepted all three as proofs in Deen. There are other groups however, who reject one or more of these.
In the first Aayah the Hujjat of Qur'aan has been mentioned together with that of Hadeeth and Ijmaa'.

In the second, the Hujjat of Hadeeth has been mentioned with that of Qiyaas.

Deen is one Sharee'at varies:

For the guidance of mankind, Allaah Ta'aalah revealed to them His Deen and Sharee'at. These are two things: Deen and Sharee'at.

From Aadam υ to Rasulullaah ρ, the Deen of all the Ambiyaa has remained one. This Deen is Islaam. All the Ambiyaa came with Islaam. The Sharee'ats of the Ambiyaa varied with time. So all of them came with one Deen i.e. Islaam while their Sharee'ats changed from time to time.

Only this Ummat is Muslim:

Then by the Fadhl of Allaah, the Ummat of Rasulullaah ρ has been given the title of Muslim. This was in answer to the Du'a of Ibraaheem υ (Surah Hajj). Muslim means 'One who has submitted to Allaah'.

Moosa υ, on behalf of the Jews said: "Innaa Hudnaa Ilaik" – (we have turned to you) and they were thus named Yahood (those who turned to Allaah).

Eesa υ said to his disciples: "Man Ansaaree ilallaah" – (who will assist me for the sake of Allaah?). Those who responded were called Nasaara (the helpers)

Usool and Furoo':

The link between Deen and Sharee'at is one of Usool and Furoo'.
Deen is the Asal – fundamental element or basis.
Sharee'at is its Fara' – it is derived from the Asal.

Ri'aayat (concession) in Deen and Sharee'at:

In Sharee'at there is a certain amount of Ri'aayat (consideration) depending on the age [Zamaan] or circumstance [Haal]. In Deen there is no Ri'aayat. For this reason, there is no difference in Deen. From the inception, Deen has remained one. The Sharee'at of the different Ambiyaa has varied from the time of one Nabi to another according to the various Ahwaal (circumstances).

Why?

There are three fundamentals in Deen: Tauheed (the oneness of Allaah), Risaalat (believing in the Messengers) and Ma'aad (the belief of the Aakhirat (hereafter)). This was found in the Da'wat of all the Ambiyaa. There is no concession in this. Rejecting even part of this is Kufr. These are the Usools of Aqaa'id.

Then in Sharee'at, there was some variation. In the time of Aadam υ, all the humans were his children. At that time, it was permissible to marry one's sister since there were no other women in the world. This is now Haraam. In some Sharee'at, 3 Salaats were Fardh, now 5 are Fardh. This is called Ri'aayat. These are just a few examples of it.

The Ahle Qur'aan:

Now we come back to the topic: we have to understand the Usools and Daleels (principles and proofs) of Deen and Sharee'at. There are

3 fundamental sources of Islaam: The Qur'aan, the Hadeeth, and Ijmaa'.

The Qur'aan is the fountainhead of Deen and Sharee'at. Rejecting the Qur'aan is Kufr. No one can reject it and claim to be a Muslim.

The first group we will deal with call themselves the Ahle Qur'aan. They accept the Qur'aan and nothing else. They reject the Hadeeth. Rasulullaah ρ had informed us about this group. They manifested for the first time in the very early period.

Hadhrat Miqdaam ibn Ma'dikarib τ reports that Rasulullaah ρ said: "Listen! I have been given the Qur'aan and other commands like it as well. Soon you will find an obese, carefree person, who while reclining on his couch will say: 'follow the Qur'aan in all that it declares Halaal and Haraam'" Rasulullaah ρ said: "Listen! All that the Rasul has declared (of Halaal and Haraam) is as if Allaah has declared it so!" [Mishkaat no 163]

Hadhrat Irbaadh ibn Saariyah τ reports that Rasulullaah ρ said: "Will a nonchalant person among you, while laying on his couch say that Allaah has only revealed the Qur'aan? Listen! By Allaah! I have given orders, and I have advised, and I have prohibited certain things. These are like the Qur'aan and at times even more!" [Mishkaat no. 164]

The claim of these people is erroneous- it is false. These people made their first appearance in the 1st century in the time of the Sahaabah and Taabi'een. They are still present. You will find many thousands in Pakistan. They say that the Qur'aan alone is sufficient. They call themselves 'Ahle Qur'aan'. Even the name is deceptive. The entire Ummat accepts the Qur'aan. The entire Ummat is 'Ahle Qur'aan'. The correct name for this group is Munkireene Hadeeth – Rejectors of Hadeeth. So we have to establish the Hujjat (proof) of Hadeeth.

The Shee'ah – the greatest rejectors of Hadeeth:

Here the Shee'ah come in. Generally we do not consider them Munkireen of Hadeeth whereas they are on top of the list. They reject all the Hadeeth of the Sunnis. They have their own collections of fabricated Hadeeth. They believe that that after Rasulullaah ρ, Khilaafat and Imaamat was transferred to Ali τ. Then to Haasan and then to Hussain τ. In this way, there are 12 Imaams. These Imaams used to receive Wahy (Divine revelation). This Wahy is equal to the Qur'aan! The Wahy of the Imaams can even abrogate that of Nabi ρ. These are their beliefs. They do not call the Imaams Nabis, but they grant them all the authority of the Ambiyaa?!

Their most important book on Hadeeth is Al Kaafi of Ya'qoob Kulaini. 10% of the Kitaab are the 'sayings' of Nabi ρ. The other 90% are the Ahaadeeth (saying) of the Imaams. These are but a few of their beliefs in brief.

These two groups do not accept Hadeeth as Hujjat in Deen. The rest of the Ummat does. Usools of Deen and other Shar'i commandments are proven from Hadeeth just as they are from Qur'aan.

The Ahle Hadeeth and Inkaar of Ijmaa' (consensus of the believers):

After Hadeeth, we accept Ijmaa' as Hujjat in Deen. Just as one group rejects Hadeeth, one group rejects Ijmaa'. This is a more 'recent' group. They made their appearance during the British rule of India and Arabia. They had themselves registered with the British government as 'Ahle Hadeeth'. Like this they differentiated themselves from the 'Ahle Qur'aan'.

What is the correct name for the Ahle Hadeeth:

But this name is also deceptive. As with the other group they got stuck on level two and could not progress to the next. We call them 'Ghair Muqallid' but strangely both names do not fit. We are 'As-haabul Hadeeth' followers of Hadeeth and they are the staunchest of Muqallids. They fight tooth and nail against the Taqleed of our Imaams, yet they blindly and rigidly follow their own Imaams in all that is correct and incorrect.

Some people call them 'Ahluz Zaahir' because their Ilm is very shallow and transparent. They do not like this name for themselves.

That is why they had their name registered with the Kaafir government as 'Ahle Hadeeth'. Then when the British-Saudi-American government came into existence, the lure of petrol-money was too strong. So the 'Ahle Hadeeth' aligned themselves with the Najdi Wahhaabi's and changed their name to Salafi. Salafi means followers of the predecessors, but this name also does not fit! Their path is far off the way of the Salafe Saalihen.

We cannot call them Ghair Muqallid because they are the worst Muqallids. We accept all the Imaams as being on Haqq. At times we even accept the Fiqh of the others. They blindly follow their Imaams and Ulamaa only. They consider all others as astray.

We follow the rightly guided Imaams. They follow their own confused self-styled Imaams.[4]

[4] Like Naasiruddeen Albaani

Can they be called Laa Madh-habiyyah?

Among the Arab Ulamaa, this sect is known as 'Laa Madh-habiyyah' – those who do not follow a correct Madh-hab. In Urdu this name cannot be used.

Madh-hab in Arabic means School of thought (Maslak). In Urdu it means Deen or religion.

So the Urdu meaning of Madh-hab cannot be taken since they are not Non-Muslim. They are Muslims but they do not follow any of the Imaams in Hidaayat.

The Ahlus Sunnah wal Jamaa'ah:

In Hadeeth we are told to follow the Sawaade A'zam [great multitude] of the Ummat. We are on this path. We are the Ahlus Sunnah wal Jamaa'ah.

We follow the Qur'aan; then we follow the Sunnah, not just Hadeeth; and we follow the way of the Sahaabah and the Mu'mineen and their Ijmaa' – this is 'Al-Jamaa'ah'

The Difference between Hadeeth and Sunnah

The meaning of and 4 things that constitute Hadeeth:

4 things make up Hadeeth:

1. The Aqwaal (sayings) of Rasulullaah ρ
2. The Af'aal (actions) of Rasulullaah ρ
3. The Taqreer[5] (consent) of Rasulullaah ρ
4. The physical traits and habits of Rasulullaah ρ

[5] i.e. if a Sahaabi did something in the presence of Nabi υ and he did not express displeasure or prevent him.

The meaning of Sunnah

And Sunnat means: At-Tareeqatul Maslookah fid Deen – The followed path in Deen.

The Nisbat (link) between Hadeeth and Sunnah is Aam-Khaas min Wajhin.
i.e. they are similar (Muttafiq) in one way and different (Muftariq) in two ways:

Maaddatul Iftiraaq (differences) are two:

1. Those Ahaadeeth which deal with the Khaasiyaat (specialities) of the Nabi e.g. marrying more than 4 wives. This is Hadeeth but not Sunnah.
2. Those things which were implemented by the 4 Khaleefahs. These will be Sunnah even if there is no Hadeeth in support of it e.g. the 2nd Azaan for Jumu'ah which was implemented by Uthmaan τ[6]

The Sunnats of Ali τ:

Like this, there are 3 Masaa'il which came about in the time of Ali τ when two groups of Muslims fight against each other:

1. Regarding those who are killed: will they go to Jannat or Jahannum ;
2. Will the goods of the defeated party be treated as Ghaneemat (spoils of war) ;
3. Will the captives be treated as slaves ;
4. The answers to these 3 Masaa'il were stipulated by Ali τ. This is Sunnah even though there is no 'Hadeeth'.

[6] The Salafi's have created a huge row over the number of Rak'ats in Taraaweeh – 20 Rakats is proven from Hadeeth of Nabi ρ and the Sunnat of Umar τ as well as the Ijmaa' of Sahaabah.

The Battle of Jamal was fought between Ali and Aaishah's parties. Ali τ's group was victorious. Questions 2 and 3 came up. Some Muslims wanted to take the spoils as theirs. Ali said: "Which wretched person will take Aa'ishah τ as a slave? There is no booty, nor any slavery!" So all the prisoners were set free and all the goods of the Shuhadaa (martyrs) was returned to their families.

Then the Battle of Siffeen came along between Ali and Mu'aawaiyah τ. Some people raised the first question. Ali said: "ours and theirs are in Jannah"

This is such a Mas'alah that no one could have solved since no Hadeeth was present, nor anything similar by which a Shari analogy could have been extracted (Qiyaas).

Ignorant people (the 'Salafis') generally make a huge noise about the 2nd Azaan and the Rak'ats of Taraweeh. We have presented the Sunnah of Ali τ here because their knowledge has not yet reached this level. When they come to know about this, they will have an extra Mas'alah to shout about.

The basic point is that the decrees (Fatwahs) and rulings of the Khulafaae Raashideen are accepted as Sunnah by the Muslims even if perchance there is no Hadeeth in support thereof. This has always been the standpoint of the Ahlus Sunnah till the emergence of this group.

We will discuss the name 'Ahlus Sunnah wal Jamaa'ah' shortly Inshaa'Allaah – suffice for now that we are Ahlus Sunnah not Ahle Hadeeth.

The Similarity between Hadeeth and Sunnah (Maaddatul Ijtimaa'):

Those Ahaadeeth which are accepted as Ma'mool Bihaa (practiced upon) and are not Mansookh (abrogated) or Khaas (special) are also Sunnah.
We accept all the Ahaadeeth in this category and we practice upon them. We also follow the Sunnah of the Sahaabah.

Being 'Ahle Hadeeth' is not good enough for two reasons:

1. Hadeeth includes Mansookh and Khaas matters. It is not correct to practice on this even though it is Hadeeth. e.g. Marrying more than four and temporary Nikaah – both these are Baatil.
2. Hadeeth does not cover the Sunnah of the Khulafaa. For this reason the Salafis are in Dhalaalat (error). We have been clearly commanded to follow the Sunnat of the Khulafaa in Hadeeth just as we have been ordered to follow the Sunnah in the Qur'aan!

The 'Ahle Quraan' rejects Sunnah. The 'Ahle Hadeeth' also reject it in practice yet when confronted, neither of them will admit to it.

This is the deception of the Ghair Muqallid/ Salafi/ Ahle Hadeeth sect.

A Challenge:

We place a challenge to all the self-styled 'Ahle Hadeeth **– present a single Hadeeth where we have been commanded to follow the Hadeeth.** Hadeeth is a technical term, an academic classification.

In the Hadeeth, we have been ordered to follow the Sunnah: The Sunnah of the Rasul everyone accepts – we have been clearly ordered by the Rasul himself, in a Saheeh Hadeeth to follow the Sunnah of the Khulafa as well and this too, with no distinction!

In our discussion, this is the matter that separates the truth from falsehood. We follow Hadeeth – they *claim* to follow Hadeeth. A claim that is

a) false and
b) deceptive.

Rasulullaah ρ said:
"You must follow my <u>Sunnah</u> and the <u>Sunnah</u> of the rightly guided Khulafaa! Hold firmly onto it and grip it with your teeth!"

In another Hadeeth He said:
"Whoever holds on to my <u>Sunnah</u> during the time of evil…"

And:

"I am leaving behind two things. You will never go astray so long as you hold on to them: The Kitaab of Allaah and my <u>Sunnah</u>"

There are great virtues for memorizing Hadeeth and passing it on to others – But we have been ordered to follow <u>Sunnah.</u>

The Sunnats of Abu Bakr τ:

So we have touched on the Sunnah of the other Khulafaa. Sayyidinaa Abu Bakr τ has also given us certain Sunnahs. In fact He was the first to present certain Sunnahs (since he was the first Khaleefah)

If any townspeople collectively leave out any important command of Islaam (e.g. Zakaat), the Ameer can wage Jihaad against them. When one group refused to pay Zakaat, He said: "If they with hold even one piece of string which they used to pay in the time of Rasulullaah ρ, I will fight them!" Umar did not understand this

verdict. He felt that there were more pressing matters like dealing with the renegades and the threat against Madeenah itself.

This was a very important decision taken by Abu Bakr τ. The entire stability of the Muslim nation depends on it.

He named a successor (i.e. Umar) He wrote an order to this effect, and then told Uthmaan τ to gather the Muslims in the Masjid and take Bai'at on Umars τ hand. The Sahaabah accepted this.

These were two Masaa'il which only Abu Bakr could have enacted, because this was the era of the Sahaabah. They were people of understanding and Itaa'at (obedience). The very next generation was one of turmoil. That is why we see that in the period of Uthmaan τ and Ali τ, non-Sahaabah created great anarchy. They were not prepared to accept the decisions of the Khaleefah.

A person once asked Ali τ why the first 2 eras were of unity and peace while the 2nd two were of turmoil and strife. He said: "Because of the change in Ra'iyyat (the general public)" Abu Bakr led people like Ali, Uthmaan, Abu Ubaidah and the others. The latter period saw a dearth of men.

The name: Ahlus Sunnah wal Jamaa'ah:

Rasulullaah ρ said that the Yahood and Nasaara were split into 71 and 72 sects… and that this Ummat will be split into 73 – all of them but one will enter Hell. On being asked who they were, he said:

"Maa Ana Alaihi wa Ashaabee"
"Those who follow the path that I am on and my Sahaabah"

My Path: this is **the Sunnah.**

My Sahaabah: this is **Al-Jamaa'ah.** From this comes the Ijmaa' (consensus of the Mu'mineen)

Ibn Taymiyyah has supported this in "Minhaajus Sunnah"

The 'Ahle Hadeeth' scholar Nawaab Waheeduz Zamaan in "Nazlul Abraar" has also affirmed it.
The group who are on Haqq (truth) and that will gain Najaat (salvation) are those who follow the Sunnah and accept the Ijmaa' of the Ummat.

The 3 Usools of Deen:

The 3 principle sources of Sharee'at are: The Kitaab of Allaah; the Sunnah; Ijmaa'.

The fourth Usool is: Qiyaas (analogical reasoning) based on these three Usools.

The Masaadirul Asliyyah (principle sources) are 3. Qiyaas is the 4th (source) but it is not in the category of the first 3.

Qiyaas is Muzhir (makes apparent the hidden) of Sharee'at not Muthbit (proof of itself) of Sharee'at i.e. Qiyaas is a means of understanding the laws of Sharee'at from Qur'aan, Sunnah and Ijmaa'. Qiyaas is not used to create laws of its own type in conflict of the 3 Usools. Qiyaas is not contradictory to them.

Ijmaa' is also linked to Qur'aan and Hadeeth

These are now the 4 Usools of Deen. The first 3 are on a higher level. Qiyaas is of a 'lower' level. But all 4 are interlinked. Deen is the command of Allaah – Allaah is the Shaari' (The one who revealed Sharee'at). This Sharee'at is manifested through these Usools. Rasulullaah ρ expounded the commands of Allah. He

conveyed and taught them to us in full. He did not alter them in any way or present anything on his own account [Na'oothu Billah]. The Sahaabah then conveyed this to us.

Their Ijmaa' strengthened the foundation of Islaam and protected it from being tampered. They did not alter anything. This is how Deen was established on a firm – watertight – tamper-proof foundation. **The A'immah then codified it to its finest detail through Ijtihaad and Qiyaas.** They did not alter Deen or present anything of their own. This completed the matter.

The Shee'ahs tried to alter Deen. The Khawaarij tried to alter Deen. The Mu'tazilah tried.

Many groups have come and gone. 'Kulluhum fin Naar' – All are in Hell. They are not part of us.

Then the 'Ahle Qur'aan'; 'Ahle Hadeeth'; 'Ghair Muqallid'; 'Salafi'; 'Maudoodi' etc. sprang up. They changed things. They created confusion. Some of them went very far – right out of the fold of Islaam; others will be classed as Muslim but not part of the Ahlus Sunnah. Some on something, others on something else…
All of this is nothing but Dhalaalat (waywardness) and confusion.

We have a straight, clear road. Our Deen has come to us generation by generation from the best of people from every age. May Allaah keep us on this and raise us on this.

All Ahaadeeth are linked to Qur'aan:

Hadhrat Abdullaah ibn Mas'ood τ once, while delivering a sermon, mentioned a Hadeeth that Rasulullaah ρ cursed the person who lengthens her hair by joining other hair to hers as well as the person who carries this out. He also cursed the tattooer and the person who gets himself tattoed…

After the sermon, a woman said to him: "You narrate Ahaadeeth about such matters that we find no mention of in the Qur'aan."

He said to her: "If you recited the Qur'aan, you would have found 'Take that which the Rasul gives you and abstain from all that he has prohibited you'" [Surah Hashr].

Ijmaa' (consensus of opinion) is also linked to Hadeeth and Qur'aan

Ijmaa' has to be Mustanad (based on something in Qur'aan or Hadeeth). The question then arises that what is the need for Ijmaa' then, when the Qur'aan and Hadeeth are there?

The answer is that sometimes the Aayat or Hadeeth only makes Ishaarah (an indication) to the matter. Ijmaa' makes it clear. Ijmaa' is a Hujjate Qat'i (a definite proof) in Deen.

Rasulullaah ρ did not nominate a successor. In his last days, He appointed Abu Bakr τ as the Imaam for 14 days! After his demise, the Ansaar met at Saqeefah Bani Saa'idah. They proposed two Ameers – one from the Ansaar and one from the Muhaajireen. Umar τ said that this is the person who the Rasul of Allaah appointed as Imaam in his lifetime. All the Sahaabah then took Bai'at to him. This is the 1st Ijmaa' of this Ummat.

Abu Bakr's τ appointment as Imaam was an Ishaarah (indication). Umar's understanding this as appointment as Khaleefah was Istidlaal or Qiyaas (extracting a proof/ deeper reasoning). Sahaabah's unanimously accepting it was Ijmaa'.

Ijmaa' is a Hujjate Qat'i. An absolute proof. To oppose it is Dhalaalat (misguidance). If anyone rejects the Khilaafat of Abu Bakr τ, one will be in the wrong.

Similar is the case with 20 Rak'ats of Taraweeh.

How Qiyaas is linked to the 3 Usools

The example of Qiyaas is like 3 huge pots of steaming food. A person cannot take this food out by hand. He needs a big spoon.

Like this, you have Qur'aan, Hadeeth and Ijmaa'. To extract the Masaa'il (laws) of Deen, the Imaams use Qiyaas. Call it Qiyaas or Ijtihaad, it is the same thing. The Qiyaas of the Imaams, contrary to the propaganda of the 'Ahle Hadeeth' is not personal opinion or reasoning in the matters of Deen. The Imaams were people of Allaah and were far beyond such evil.

So now we have proven these four Usools of Deen. The Madh-hab of the Ahlus Sunnah wal Jamaa'ah is based on this.

Let us conclude with the two Aayats that we began with:
The first Aayah *(115 of Surah Nisaa)* has been discussed in detail in the 1st chapter.
The 2nd Aayah is from *(Surah An-Nahl Aayah 44)*

The proof of Qiyaas from Surah An-Nahl

The Kuffaar of Makkah objected to the Risaalat of Rasulullaah ρ. They reasoned that if Allaah really wanted to send a message, He would have sent an angel or some other supernatural being. In reply, this Aayat was revealed.

Throughout history, Allaah had sent messengers. All of them were human men. No Nabi was a female and no angel was ever sent for this purpose.

Allaah Says:

"…and We have revealed the Reminder (Qur'aan) to you, so that you may explain to the people all that has been revealed to them, and so that they may reflect."

The Qur'aan is Allaah's message to mankind. Allaah has the power to do anything He wills. Yet Allaah, by His wisdom, takes the temperament of man into account. For this reason, Allaah did not send the Qur'aan directly. He sent it with His Rasul ρ so that the Rasul ρ can explain it to them. He can guide them and assist them. They can relate to the Nabi since the Nabi is a human among them.

A human cannot relate to an Angel or to any other supernatural being. Allaah took mans weakness into account and sent a Nabi. The actions and commands of the Nabi are an exposition of the Qur'aan.

This is Hadeeth. So in this Aayah, the Hujjiyyat of the Qur'aan and Hadeeth has been established. Ijma' has not been mentioned here. Ijmaa' has been mentioned in the other Aayah.

Then Allaah says: **"…so that they may reflect"**
i.e. so that they may ponder on the deep meanings of the Qur'aan and as and when the need or situation arises, they may seek guidance from the Qur'aan and Hadeeth. In their respective periods, the Khulafaae Raashideen extracted guidance in this way. Then in every age, the Fuqahaa have extracted and will extract guidance like this.

Whenever any new Mas'alah arises, the Ulamaa will show the right path through Qur'aan and Sunnah.

Daily we are faced with new questions – in the business field, in the field of commerce and medicine. As technology advances, the Muslim is faced with new conditions. Hidaayat (guidance) through all of this is in Deen. The Ulamaa will show the way.

The work of the Ulamaa in these instances is through Ijtihaad and Qiyaas. There is no avoiding it.

Here the big question arises as to who has the right of Ijtihaad and Qiyaas. Every common layman will not have the right to voice his feeling. This is 'self-opinion', which is Haraam in Deen. This is a topic of its own.

The last part off this verse is the proof for Qiyaas.
One cannot avoid Qiyaas. The 'Ghair Muqallids' of our belated age are allergic to the word Qiyaas. But just as in the Mas'alah of Taqleed, here too they are even more 'guilty' of Qiyaas than us. **We follow set rules in Qiyaas.** They are free thinkers – without studying the Usools of Qiyaas, they go about it. They have thrown the flood gates open. All and sundry are allowed to decide for themselves what they wish. They bring loads of the strangest types of Istimbaat (deductions) and Qiyaas.

The safest route for all today is that of the pious people gone by. Every new matter in Deen is as dangerous as it is misleading. May Allaah protect all of us in these trying times.

A great cause of deviation: Taqleed of the deviated

"And Allaah is well pleased with the vanguard of Islaam among the Muhaajireen and Ansaar and all those who follow them in Ihsaan and they are pleased with Him…" [Surah Taubah Aayah 100]

The topic chosen by my hosts was – "A great cause of deviation: Abandoning Taqleed".

I amended it to – "A great cause of deviation: Taqleed of the deviated" – because there is no avoiding Taqleed. Every person in the world is a Muqallid. In every facet of life, from Deen to Dunya, everyone is a Muqallid. The antagonists of Taqleed are the greatest and blindest Muqallids. So the amended topic is more fitting. The question is not of Taqleed but of 'Who's Taqleed'.

Misunderstanding the meaning of Taqleed:

There is a general confusion in regard to the matter of Taqleed. Many people have the notion that Taqleed means to tie a leash around one's neck and place it into the hand of another so that he may lead you wherever he likes. He may land you in Jannat or Jahannam, your duty as a Muqallid is to blindly follow.

The correct meaning:

Taqleed is from the root word Qallada from Baab Taf'eel. It means 'to place a necklace on someone'. In the Kitabs of Fiqh, you will find the chapter "Qalladal Qaadhi" – 'placing a chain on a judge' (i.e. appointing a judge in this way).

Here it will mean – To place one's reliance on a reliable person and to follow him in Deen.
If the same root is placed on BaabTafa'ul [Taqallud] it will mean placing a leash on one's neck. (As people have been led to believe).

The origin of Taqleed and Taqallud are one but the meanings are different.

Two things are necessary for Taqleed:
1.) Reliance (Aqeedat)
2.) To follow the person (Ittibaa')

In our case, it would mean to place one's reliance on a certain Imaam and then follow him. This is because they were Imaams with Ilm and Taqwa. We therefore accept their explanations of Deen and follow them in practice.

Taqleed and Ittibaa' – one and the same thing:

By understanding the reality of Taqleed, all this confusion will settle.

The people behind this furor are allergic to the word Taqleed. To them we say: 'Taqleed and Ittibaa' are one and the same thing'. It means to follow or obey.

With the passage of time, terminologies may change. This change of terminology will not change reality.

Changes in terminology only: Tasawwuf, Zuhd and Ihsaan:

Tasawwuf (Sufism) is a technical term. It surfaced in the 5th century. Prior to this it was called Zuhd (abstinence). In Hadeeth you will find the word 'Ihsaan'. This is the same thing. In Qur'aan you will find the word 'Muhsin'.
In the Hadeethe Jibreel, Rasulullaah ρ was asked: "What is Ihsaan?" He said: "That you worship Allaah as if you are seeing Him".

This Ihsaan is the soul of Islaam. This science of Ihsaan is called Tasawwuf. The terms are different, the reality is the same.

The age of compilation of Hadeeth was between 250 and 300 A.H.
Imaam Ahmad (A.R) passed away in 241
Imaam Daarimi (A.R) passed away in 255
Imaam Bukhaari (A.R) in 256
Imaam Muslim (A.R) in 261
Imaam Ibn Maajah (A.R) in 273
Imaam Abu Dawood (A.R) in 275
Imaam Tirmidhi (A.R) in 279
Imaam Nasai (A.R) in 321

These are some of the great Muhadditheen. All of them were 'Muhsin'. In their age, Ihsaan came to be known as Zuhd. You will find 'Kitaabuz Zuhd in all their Kitaabs. So they were all 'Zaahid'. In todays time you can call them 'Sufi'.

In the 5^{th} century, with the passage of time and change in attitude, as people became more enamored by the world, the Ahlullaah turned their attentions away from the world and entered a life of Zuhd (abstinence). They became known as 'Sufi' because of the coarse woolen clothing they used to wear. Thus the terms: Tasawwuf and Sufi.

In Qur'aan and Hadeeth you will find the word Ittibaa'. Ittibaa' means to follow. To Follow the Rasul of Allaah and the Sahaabah is Ittibaa'.

Later the word Taqleed came about. Taqleed and Ittibaa' are the same.
Some people say: "Show us Tasawwuf and Taqleed in the Qur'aan and Hadeeth". You will not find these words anywhere in Nass.[7]

These are terminologies which came about later.

The technical definitions: Fardh; Waajib; Sunnah- Mu'akkadah and Ghair Mu'akkadah; Nafl; Mustahab; Mandoob; Makrooh- Tahreemi and Tanzeehi etc. are not in Hadeeth yet they accepted.

The classification of Hadeeth: Saheeh; Dha'eef; Hasan etc. are accepted by all despite being 'invented' by people.
So these people want the word Tasawwuf and Soofi.

In Hujjatullaahil Baalighah, when writing on Tasawwuf, Shah Waliullaah wrote under the chapter 'Abwaabul Ihsaan' [The chapter on Ihsaan]

The Salafi-Wahhaabi group in Saudi Arabia are of the notion that they alone are the people of Haqq. All the other Muslims in the world are 'second-grade'. These people are opposed to everything besides theirs. Now they needed a 'Fatwah' against our Tableegh Jamaat. For this they went to great lengths to besmear them. They wrote voluminous books against them – filled with allegations, half-truths and outright lies. The Saudi's have an allergy to the word Tasawwuf. So these fellows filled the ears of their grand Mufti (Ibn Baaz) with this in order to procure their 'Fatwa'.

[7] Nass/Nusoos refers to Qur'aan and Hadeeth.

Once few of our elders met the Shaikh. He presented all his questions and objections and they gave their answers. One of the questions was: "Do you people take Bai'at from people?" Moulaana Muhammad Umar Saahib said: "Shaikh! We take Ahd (pledge) from people that they will practice on Sunnah and abandon Bid'ah."

The Shaikh said: "This is very good" whereas the Bai'at of Tasawwuf is nothing but the very Ahd (agreement) that Moulaana explained!

Moulana Bakhtiyaari was initially with Maudoodi. Maudoodi used to say that Tasawwuf is the opium of the Ummat. Later when Maudoodi went his way, Moulaana broke away from him. People however still had an aversion to Tasawwuf. Moulaana therefore established "Ma'hade Ihsaani" – "The Ihsaan Institute". The very people who hated Tasawwuf flocked to this 'Khaanqah'.

The Wujoob of Taqleed:

We have been explicitly ordered with Taqleed/Ittibaa' in the Qur'aan and Hadeeth. These commands are brighter than daylight. Allaah Ta'aalah says:

"The vanguard of Islaam from among the Muhaajireen and Ansaar – and those who follow them in goodness with Ikhlaas, Allaah is pleased with them and they with him."

The word Ittibaa' is clear here for all to see.

Who are the followers of the Muhaajireen and Ansaar?

Let us take an example here: You have a train - an engine pulling 25 compartments. The 1st compartment is linked to the engine. The 2nd

is linked the 1st and so on. All 25 are not linked to the engine directly.

Take another example. A chain is made up of links, one linked to another. All put together, it makes up a chain. Every link is not linked to every other at once.
The example of this Ummah is exactly like this. We have not seen the Rasul of Allaah nor we have not met the Sahaabah, yet we are linked to them. We are linked to them through this chain. Allaah is pleased with this entire chain because it is linked to the Sahaabah.

We follow Sahaabah through this chain. No one can claim to follow Rasulullaah ρ directly. This claim is mischief.

Islaam is based on this chain. It is called **Sanad.** You cannot fall from the sky, read a few books and present a grand philosophy, then expect the Ummat to follow your trend. Yes you will pick easy targets – ignorant fellows will fall into your trap. So in Hadeeth we have been warned of people who are astray and who will lead others astray.

There is a group of people in this city who are of this view. This programme was held in their honor. I was asked to present Daleel (proof) to them.

Dalaa'il (proofs) are available in mountain loads. The Question is not of Daleel. The real Mas'alah is of Hidaayat (guidance). A worldly crook can repent; the door of Hidaayat is open for him. Everybody looks down on him. Society has written him off. But Allaah's door is open.

Then you get a crook in Deeni matters. One is a person who is in error for some reason or another. He is sincere in his motive and his quest. Inshaa-Allaah, he will find guidance. Then you get a cheat - a fraud or a crook. He is in error but he is stubborn. He is arrogant. He

will never find the truth. You will find hard-case Christians like this, and Shee'ahs like this. The world is full of them. Allaah says:

"And he who Allaah has set astray will never find anyone to guide him."

These people should take stock of themselves. What are their motives? What do they desire?

Coming back to the topic:

In this Aayah, Allaah has used the word 'Ihsaan'. This is not the Ihsaan of Tasawwuf. As we have mentioned, in Qur'aan, the word 'Muhsin' is used for that. Ihsaan here means Ikhlaas (sincerity).

Two things are mentioned here: Ittibaa' and Ikhlaas.

Take an example:

There is a locality with a majority of Shaafi'ees. The Imaam is Hanafi. The people want him to lead the Salaat as a Shaafi'ee. This did take place recently and this Mas'alah was placed before us, that is why I am mentioning it. Anyhow, this demand of these people is incorrect. All the four Madh-habs are Haqq. All are based on Sunnah. There is no question of performing a 'Hanafi' Salaat; 'Shaafi'ee' Salaat or 'Maalikee' Salaat. The Muqtadi must follow the Imaam, this is the correct Salaat.

Once a Taabi'ee said to a Sahaabi: "I am wearing leather socks (Khuffain). I feel it better to wash my feet each time I make Wudhu. Is this OK?" The Sahaabi said: "No. It is not OK. Making Masah is Sunnah. There is no question of better or 'how you feel'. You should have no doubt in any matter of Deen. You must have full Itminaan (satisfaction/assurance) on that which is Sunnah" [Tirmidhi]

Similarly, there is no question of switching or adjusting Madh-habs since all are correct. There must be no doubting this fact. Yes, if the people of an area are Shaafi'ee and they want a Shaafi'ee Imaam so that they can learn from him and ask their Masaa'il from him then there is no problem. Asking the Imaam to change is not correct.
If the Imaam changes, he will be making Ittibaa' of Imaam Shaafi'ee but there will be no Ikhlaas in it. He will be doing it to appease the people. Acceding to their request will not be permissible. This will be contrary to Ihsaan.

Another person is Hanafi. He has studied the Shaafi'ee Fiqh in detail. He has learnt its Usoools and Furoo'. He has Itminaan (satisfication) on this Fiqh. So he changes his Madh-hab on the basis of Ilm. This is a different matter altogether. This will fall under the Ihsaan mentioned in the Aayah.

An objection and its reply.

Someone may object that the Aayat we are using as a Daleel is from Surah Toubah and it is regarding the Battle of Tabuk. Using this to prove Taqleed is not correct.

The Proof of Hujjiyyate Hadeeth: an objection.

The answer is that the Aayaat of Qur'aan are not restricted to any particular incident. This is called the Usool of Umoom (principle of generosity) i.e. the Aayaat of Qur'aan have a more general meaning.

For example, the Aayah in Surah Hashar which is used to prove the Hujjat of Hadeeth:

"Take that which the Rasul gives you and abstain from that which he prohibits you"

This Aayat is regarding the distribution of the spoils of war after a peace treaty (Maale Fay)[8]. Yet under the Umoom of Qur'aan, this Aayat has a far deeper implication. Even the Ghair Muqallids accept this. The same is the case here.

The Usool in question is "Al Ibratu li Umoomil Lafz laa li Khusoosil Mawrid"

It means that an Aayah will be used according to the general implication of its words and will not be restricted to any particular incident.

This is another matter- that until a person has not fully mastered the sciences of Usoolul Fiqh, Usoolul Hadeeth and Usoolut Tafseer (among others), he cannot express his view in any Mas'alah on the basis of any single Hadeeth. This is also another discussion altogether.

So this Usool is the answer to the objection.

Akhbaar includes Inshaa'

Then there is another Ishkaal (onjection): Amr (an imperative command) comes for Wujoob (compulsion). In this Aayah there is no Seegha (tense) of Amr (order).

The answer here is a law of Nahw (grammar) – Akhbaar are inclusive of Inshaa'. This means that although here a report is given, it includes a command.

[8] One is "Maale Ghaneemat" – the spoils of war: after the battle, $1/5^{th}$ of the spoils are placed in the Baitul Maal and the rest is distributed among the warriors.
"Maale Fay" is when there is a peaceful settlement. Here Rasulullaah ρ was given the option to distribute it as he saw fit.

The Arabic students will understand this. For the general people let it suffice to say that the Ilm of Deen is not child's play – for anyone to say whatever he wills.

If these 'Ghair Muqallids' take the trouble to study Deen in depth, they will come to judge just how great men of Ilm the Imaams were.

They will be overawed by the grandeur of their Ilm. These people have relegated the Ilm of Nabuwwah to the rank of a newspaper or magazine! Any person can pick up a magazine, read what he likes and voice his opinion. He can even write his own column and have it published. He can publish his own newspaper if he wants to. Now they want to go about this way in Deen! Our complaint is only to Allaah.

Coming back to Akhbaar and Inshaa', understand it like this:

Rasulullaah ρ said:

1. "There is no Imaan in a person who has no Amaanah (trust)"
2. "There is no Salaat for a person in the vicinity of the Masjid except in the Masjid"

There is no Amr in these Ahaadeeth. Both these are Jumlah Khabariyyah (informative statement). Yet they include an Amr. The first Hadeeth is an Amr (command) to inculcate Amaanah. The second is an Amr to perform ones Salaat in the Masjid. Both these things are Waajib.

Similarly in the Aayah we are discussing there is an Amr of Ittibaa' and this Ittibaa' is Waajib.

Taqleed: the only way

Apart from the academic discussions and trading of Dalaa'il, Taqleed is a logical necessity. A person cannot take a single step without Taqleed.

The question is not *if* you choose to follow but *who* you choose to follow. On Qiyaamah it will be announced that everyone should join the person they followed in the world. In this way, the Hindus will be separated from the Sikhs and the Sikhs from the Shee'ahs…

The Ghair Muqallids even follow their Ulama. They are <u>very</u> rigid in their Taqleed.

They ask us: "Do you follow the Rasul of Allaah or Abu Haneefah (R.A)?" This question is incorrect. The correct question is whether we choose to follow Imaam Abu Haneefah (R.A) or the confused Ghair Muqallid sect.

The Madh-hab of Imaam Abu Haneefah is taken from Hadhrat Abdullaah ibn Mas'ood τ, and Abdullaah was the greatest follower of Rasulullaah ρ.

The Ghair Muqallids are made up of odds and ends from all over with free thinking ideologies. They then present this as following Hadeeth. They are obsessively opposed to the word Taqleed. All of this is nothing but Jahaalat and Dhalaalat (ignorance and misguidance).

Taqleed is necessary in 3 things

Wherever the Qur'aan or Hadeeth is clear on a matter, you will find no differences among the Imaams. There are three instances where the Imaams will differ:

1] Where there are Mukhtalif or Muta'aaridh (opposing) Narrations. E.g. in the Mas'alah of Raf'ul Yadain (raising the hands in Salaah apart from the 1st Takbeer). In cases like these, the Imaams will, according to their Usools come to a conclusion.

2] Sometimes a Hadeeth may have 2 apparent meanings. The Imaam will determine one and the Muqallid will follow. E.g.

One Hadeeth – Two meanings:

Rasulullaah ρ ordered Bilaal to say the Adhaan in twos and the Iqaamah in ones (odd number).
This Hadeeth could have two meanings: i.e. to say all the words of Iqaamah once only.

The three Imaams are of this view. Imaam Maalik (R.A) says that even "Qad Qaamatis Salaat" must be said once only.

Imaam Abu Haneefah (R.A) says that 'ones' means to say the two sentences in one breath.

The Hadeeth of Abu Mahdhoorah τ in Abu Dawood supports his view that Rasulullaah ρ taught him 17 sentences in Iqaamah.

3] Some Masaa'il are not clearly mentioned in Nass. In this case, the Imaam will dive deep into Qur'aan and Hadeeth to find an answer. These are known as Istimbaati Masaa'il (extracted Masaa'il)

In these three instances, the only way for Amal is through Taqleed of the Imaams. Where Qur'aan and Hadeeth is clear on a matter, the road is open.

And remember! None of the Imaams have opposed Hadeeth in <u>any</u> of their verdicts!

This is a great slander against these noble personalities! Do not fall into the trap of the slanderers.

Demanding a Daleel for Taqleed is not correct

Finally, Waajib is of two types:

1.) Waajib li Ainihi (where a thing is Waajib in itself)
2.) Waajib li Ghairihi (where a thing is not Waajib in itself but is Waajib due to some external factor.

To seek a Daleel in the first type is correct. E.g. The Hanafees say that Witr is Waajib. If asked, they must present their Daleel. This is in order.
To seek a Daleel in the second type is not correct. Because its Wujoob is based on something else, you will have to examine that something else. If it is firm, the Wujoob will stand or else not.

The Wujoob of Taqleed

Taqleed is Waajib li Ghairihi. It is based on something else. That something else is Admul Ilm or Qillatul Ilm – not having Ilm or not having sufficient Ilm. Any person who fits in this category must ask or follow those of Ilm. This is Waajib upon him. For him to come to his own conclusion is Haraam. Allaah Ta'aala says:

"and ask those of knowledge if you know not" {Surah Ambiyaa}
Let everyone gauge himself in the light of this Aayah. This is the highest truth and there is no personal motive in any of it. This is the straight path.

A great cause of deviation: Taqleed of the deviated

The topic given to me was 'Abandoning Taqleed: A great source of deviation'.

I adjusted it to 'A great cause of deviation: Taqleed of the deviated'
The reason being that in life, and in Deen particularly, there is no avoiding Taqleed. Everyone is a Muqallid.

So the question is who you choose to follow.

You may follow the great Imaams who were mountains of Taqwa and Ilm.

Or you can follow the Naa-Baaligh (non-ripe) mushrooms who pop up now and again; mushrooms which sell at 1 rupee a punnet.

The Importance of following one of the four Madh-habs and the great danger of stepping out of its boundaries

(From the writings of Shah Waliullaah – Taken from Rahmatullaahil Waasi'ah)

There is a great and deep underlying wisdom in following one of the four Madh-habs. The protection of one's Imaan is in this way. Breaking away from this is nothing but deviation and will lead to confusion and strife. There are three reasons for this:

Reason no. 1

In the matter of Deen, the Ummat is dependant on its Salaf (predecessors). This dependency is called I'timaad. The Taabi'een received their Deen from the Sahaabah, and their students received theirs from the Taabi'een and like this generation to generation.

In every age, the Ulamaa had relied totally on their Mutaqaddimeen (predecessors). Deen has reached us like this. This chain is called Tawaaruth.

The Ilm of Deen is based on Naql/Riwaayah (narration) or Istimbaat (deduction).

Both these in turn are dependant on I'timaad. In this way, we accept Deen from our elders and pass it on to the next generation.

The Ummat has reached consensus (Ijmaa') on this Tawaaruth (Passing Deen down from generation to generation) and Ijmaa' is the strongest foundation upon which the entire Deen is based.

Abandoning this will lead to evil and deviance.
This applies in all facets of life and not only to Deen. In all the worldly sciences too this rule applies. By learning the field from its masters a person will qualify in that field. No person can become a doctor or lawyer on his own, and if anyone makes this claim, no one will accept it.

This is the first step i.e. to have I'timaad (confidence) on the Aqwaal (saying) of our Salaf.
Then it is necessary for this Qowl (saying) to be based on a Saheeh Sanad (Chain of Narration) or for it to be protected in an authentic Kitaab – and further, for this Qowl to have been authorized by the senior Ulamaa of every generation. In this way,

1. After all the Ihtimaalaat (possibilities) have been weighed, the Raajih (preferred) Qowl should be defined (Tarjeehul Muhtamal);
2. The general Mas'alah must be specified (Takhsees of Aam);
3. A general Mas'alah must be clarified (Taqyeedul Mutlaq);
4. And the Mukhtalaf (differing) Masaa'il must be gathered (Jama') together with their clauses and proofs (Illats and Dalaail);

Until all of the above have not been clearly dealt with, it will not be permissible to accept any Qowl with full I'timaad.

Today, apart from the four Madhaahib, there is no fifth Madhhab or school of thought, which has been covered in such detail. And by the will of Allaah, these four Madh-habs have covered everything from A to Z in complete detail. A person who traverses any other

way will definitely land himself in confusion sooner or later. The great claims of the Ghair Muqallideen are very fickle and shallow. The Imaami and Zaidi Madh-habs[9] have been covered in some detail in Furoo' (subsidiary Masaail) but their Usools (principles) are Baatil (False). They are among the Firaq Dhaalah (deviated sects)

Reason no. 2

Rasulullaah ρ has said:

"Follow the Sawaade A'zam (great multitude) in Deen"

This applies to the majority group of the Ummat since the earliest days i.e. the Ahlus Sunnah wal Jamaa'ah. There were other Madhaahib among the Ahlus Sunnah, but with the passage of time these were incorporated into the four Madhaahib. These 4 are now the Sawaade A'zam and to follow them is necessary.

Reason no. 3

In this belated age of evil and fitnah, when there is very little Amaanah (trust) and even less Taqwa, a concerned believer must guard himself very carefully. It is not permissible to follow any 'new' way based on the opinions of 'enlightened' individuals. The safest recourse is to follow the way of the Jamhoor Akaabir (general body of senior Ulamaa) and the Ahlullaah (people of Allaah). The other road is of carnal desire and the deception of Shaitaan. Similarly, it is not permissible in Deen to follow any ignorant person who does not fit the requirements as laid down by Sharee'at.

If we look at the Muqallid Ulamaa, they are firmly rooted on a path, which has been laid out by the Aslaaf and has been handed down generation to generation by the pious Ahlullaah of every age. Further, all of their Aqwaal are solidly researched from Qur'aan and Sunnah.

[9] These are two Shee'ah groups

Then there is another group, who claim to be on the path of the Salaf and that they are following Hadeeth, but on deeper scrutiny, the opposite shines true.

Umar τ has said:

"Islaam will be destroyed by the Munaafiq who will argue and create dissent by means of the Qur'aan!"

Ibn Mas'ood τ has said:

"Follow the way of those who have passed away. Hold firmly onto the way of the Elders."

In the third part of 'Aqdul Jayyid', Shah Saheb has written that Taqleed is of two types:

1. Waajib
2. Haraam

Taqleed of the Aimmah Mujyahideen (the 4 Imaams) is Waajib and this Taqleed is in fact Amal (to act) on Qur'aan and Sunnah.

He goes on further:

"It is impossible for a person who is not a Master in all the sciences of Ilm to derive his own verdict in any Deeni Mas'alah. It is Waajib on him to bind himself to a reliable Aalim or Faqeeh in all Deeni Matters. Then to follow a Faqeeh whether his answer is based on Sareeh Nass[10], Istimbaat[11] or Qiyaas[12], will be considered as Amal on the Sunnah. The Amal will either be Saraahatan (direct) Amal on Hadeeth or Dalaalatan (indirect) Amal on Hadeeth. This approach has been accepted by the Ummat right from the era of the Sahaabah and in every generation thereafter, and there is consensus [Ijmaa'] upon it."

[10] A clear cut Aayah or Hadeeth

[11] A law extracted from Qur'aan or Hadeeth

[12] A law deduced by analogy

The Ijmaa' of the Ummat upon Taqleed of the 4 Imaams

There is Ijmaa' of the Ahle Haqq and the seniors of the Ummat of every age upon the acceptance of these 4 Madh-habs. This Ijmaa' is intact upto this day and there is great safety in this, especially in our time, wherein the efforts of evil are on the rise, the carnal desires are being followed and every worthy and unworthy person offers his viewpoint in the Deen of Allaah.

In 'Al-Insaaf' Shah Saheb has written:
"The second century saw the rise of new Fitnahs and a decline in Ilm. By the Will of Allaah, this form of Taqleed then took root. After this, very few were there who did not follow a Muta'ayyan (specific) Mujtahid. And this Taqleed is now Waajib as it was then…"

When is Taqleed not permissible?

The founder of the Hazamiyyah group: Ibn Hazam Zaahiri Andalusi (384-456a.h.) held the view that Taqleed is Haraam. He felt that it is not permissible for anyone to follow anyone other than Rasulullaah ρ. He presented the following proofs in support thereof:

No. 1:

"Follow what has been revealed to you by your Rabb and do not follow any beside Him" [Surah A'raaf aayah 2]

"And when it is said to them: 'Follow that which Allaah has revealed' they say: 'But we wish to follow the way of our forefathers'…" [Baqarah 170]

"There is glad news for those who listen attentively to this speech (of Allaah and His Rasul) and follow it…" [Zumar 17/18]

"… and if you dispute regarding any matter, then refer it to Allaah and His Rasul…" [Nisaa 59]

From these Aayaat, he deduces that it is not permissible to follow anyone besides Allaah and His Rasul ρ.

No.2:

This Taqleed did not exist in the time of Sahaabah and Taabi'een and theirs was the best of times. So the followers of Abu Haneefah, Maalik, Shaafi'ee and Ahmad should take heed! To accept the verdicts of any one person in this way is not the way of the Mu'mineen.

No.3:

All the Fuqahaa prevented people from following them.

No.4:

On what basis do you select these Imaams for Taqleed? Why not the Taqleed of Umar, Ali, Ibn Mas'ood or the Sahaabah? If Taqleed was permissible, it would be the Taqleed of these people! They are more worthy of being followed.

In reply, Shah Saheb wrote:

"These arguments only hold weight in respect of 4 people:

1. One: The person who has the ability of Ijtihaad.
   It is not permissible for a Mujtahid to make Taqleed. If he has the ability of Ijtihaad in the whole of Deen then in the whole of Deen and if in a few Masaa'il, then in those few Masaa'il.

2. Two: For a person upon whom it has become clear that the command of Rasulullaah ρ in this certain regard is this. He must have clear Ilm regarding the matter in question as to whether it is Khaas or Mansookh or not or otherwise. There are two approaches here:

- He has completely researched the Mas'alah with all the Muwaafiq and Mukhaalif Dalaail (differing proofs) directly from its source and he has a Daleel of Naskh (abrogation).
- He has researched the views of the Ulamaa and their proofs and then those of the opposing view.

After this a person's opposition to Hadeeth can only be due to Nifaaq (hypocrisy) or Jahaalat (ignorance). Regarding this, Allaamah Izzud Deen ibn Abdus-Salaam Shaafi'ee (577-660) has written:

"Strange indeed are those who having full knowledge of the weakness of their Hujjat (proof) continue to follow their Imaam even though the Dalaa'il from Qur'aan and Hadeeth are loaded up on the other side? Some go to the extent of twisting the meanings of the Qur'aan and Hadeeth to suit their Madh-hab! They go to great extents in defending their Madh-hab and Imaam with far-fetched and incorrect interpretations."

3. A common person who has chosen to follow a certain Imaam, and he considers him beyond error. This person has decided that he will never oppose his Imaam no matter his viewpoint and the proofs. This man is a total Jaahil. The Hadeeth of Tirmidhi is in respect of such a person:

   Adi Ibn Haatim asked Rasulullaah ρ about the Aayah in Surah Toubah: 'They take their Rabbis and Monks as gods besides Allaah…' Rasulullaah ρ said: 'They followed them when they made things Halaal and Haraam even though they did not worship them' [Tirmidhi vol. 2 pg. 136 Kitaabut Tafseer]

   This type of Extreme blind Taqleed is Haraam.

4. Extremism in Taqleed is not Jaaiz. E.g. if one person refuses to perform Salaat behind an Imaam of another Madh-hab etc.

Taqleed of the 4 Imaams (as we do) is not Haraam but necessary and at times Waajib

A person acknowledges that Deen is only that which Rasulullaah ρ has conveyed to us in the Qur'aan and Hadeeth, but he follows an Imaam who interprets the Qur'aan and Hadeeth for him so that he can make Amal. This is because he is not a scholar in Deen, and he does not have access to the Ilm of Deen. He does not have the ability to extract laws from the sources. This is the condition of the vast majority of the Ummah. For them, it will be necessary to follow a reliable, learned, pious Aalim. This Aalim has studied Islaam from its sources. He understands the differences of the A'immah and their Dalaail. He has studied the Usools of Aqaaid, Fiqh and Hadeeth etc. This type of Taqleed is commendable and even Waajib!

No Muqallid believes his Imaam to be infallible – having the right to declare what he wills in Islaam. No one believes this Taqleed to be Fardh over the Itaa'at (obedience) of Allaah and His Rasul. No one believes the Imaams to be Ma'soom (sinless).

And none of the Imaams advocated any of this. None of them opposed Qur'aan or Hadeeth in any way. In fact, they devoted their entire lives to the service of Islaam. They compiled the laws of Deen for the Ummat so that the generations to come will have a clear and easy path to follow. They based all their works on Hadeeth – These people had no time or interest for anything else!

Who can raise any objection to this?

Masaa'il are of three types:

1. Those which are clearly mentioned in Qur'aan or Hadeeth.
2. Those which are extracted (Mustambat) from Qur'aan or Hadeeth.
3. Where it is not mentioned at all in Qur'aan or Hadeeth.

The first two cases are clear.

In the third instance, the Mujtahid Imaam will try to extract an Illat (clause) upon which he can base the Mas'alah in question. This is called Qiyaas.
Since there is a probability of Qiyaas being correct or incorrect, Qiyaas is a Daleel Zanni – a secondary proof.

In the presence of a Hadeeth, no Mujtahid will ever express his view through Qiyaas. This Qiyaas will never be accepted by us. This is the Madh-hab of all our Imaams.

The Imaams may difer in their Usools of Fiqh, Hadeeth and Istidlaal, due to which differences in verdicts come about. The Ulamaa will understand these differences. But the allegation that the Muqallids oppose Hadeeth? This is totally unfounded.

The Shar'I Hukm of the Ghair Muqallid sect

(Taken from Rahmatullaahil Waasi'ah vol. 2)

A while ago we received the following query, which we have reproduced here together with its answer.

Q: What is the Shar'I Hukm of Mr Maudoodi's group and the Ghair Muqallid sect?
Are they counted as part of the Ahlus Sunnah wal Jamaa'ah or not? Please answer in detail.

A: These are two Islaamic groups but they are not counted among the Ahlus Sunnah wal Jamaa'ah. This is because their differences with the Ahlus Sunnah are in Usool (fundamental principles) and not in Furoo' (subsidiary matters)

Daleel no. 1

Allaamah Tahtaawi (1231H), the great Hanafi jurist and Ustaad of Allaamah Shaami has written in the Haashiyah (marginal notes) of Durrul Mukhtaar:

"So it is binding upon you O Muslims! To follow the way of the Ahlus Sunnah wal Jamaa'ah who have been promised salvation. Their way is the way of Allaah's Mercy and Taufeeq. To oppose them is to invite His anger and it will lead to turmoil. And this group in our time is confined to these four Madhaahib – The Ahnaaf, Maalikiyyah, Shawaafi' and Hanaabilah. All besides

these are in these times people of Bid'ah and corruption, their destination is Hell!" [vol.4 pg.153]

Maudoodi's group are free thinkers and do not conform to any of the 4 Madh-habs. According to them, Taqleed is not necessary at all. The present day Ghair Muqallids, whatever their garb and claims, are a group of their own, and are not part of any of the Madhaahib.

Daleel no. 2

Sayyidut Taa'ifah Allaamah Rasheed Ahmad Gangohi (R.A) has written an answer to their claim in his Kitaab 'Sabeelur Rashaad':

The Ghair Muqallids claim that the Ahle Hadeeth are the Ahlus Sunnah and it is necessary to follow their way. All Masaa'il contrary to their Madh-hab must be discarded and the four Musallahs in Makkah are a Bid'ah. We are Muhammadi and Muwahhid, not Hanafi, Maaliki or any other.

A: "All and sundry are by now clear on this matter that all the Fuqahaa and Muhadditheen of the four Madh-habs make Amal on Qur'aan and Sunnah. In the case of differing Riwaayaat, some have opted for one while others have chosen another. All these Madhaahib are based 100% on Qur'aan and Sunnah – It has always been our standpoint that no view opposing Hadeeth will be accepted. This chain of Ilm and Amal takes us right to the Sahaabah and finally to Rasulullaah ρ. This is the unbreakable chain of the Ahlus Sunnah wal Jamaa'ah.

When Rasulullaah ρ was questioned by the Sahaabah as to who are the "Firaqe Naajiyah" (the group who will attain salvation), He said:

"Those who are on my way and that of my Sahaabah"

This 'Sunnah' has been handed down, generation after generation and has been protected by the pious Fuqahaa and Mujtahideen of the Ummah and this group is the Ahlus Sunnah wal Jamaa'ah.

Coming to the newly emerged group who claim to be practicing on Hadeeth while opposing the Blessed way of the Salafus Saaliheen – They are on a completely new path, which has no origin. All of their claims are unfounded and are due to their shallow understanding and ignorance in the matters of Deen and Sharee'at. They are not part of the Ahlus Sunnah, they are the Ahlul Hawaa' (free-thinkers and followers of the nafs). [Ta'leefaate Rasheed pg. 516]

Hadhrat Gangohi Rahimahullaah was an accepted Imaam of the Ahlus Sunnah throughout the Muslim world and his words carry an extraordinary weight among the people of Ilm and those who understand.

Daleel no. 3

In the Fatwa Jaami'us Shawaahid, the following is recorded regarding the Ghair Muqallideen. This Fatwa was signed by the great Ulamaa of the time:

Hadhrat Moulaana Muhammad Ya'qoob Nanotwi
Allamah Rasheed Ahmad Gangohi
Shaikhl Hind Maulaana Mahmoodul Hasan Gangohi
Mufti Azeezur Rahmaan Uthmaani and others.

"The Aqaa'id (beliefs) of this new group are in conflict with that of the Salafe Saaliheen and the Jamhoor Ahlus Sunnah. Hence they will be regarded as Ahlul Bid'ah… Their beliefs of Tajseem and Jihat[13] are clear Kufr and Fisq. In the matters of Salaah,

[13] That Allaah has a physical body similar to that of a Human (Na'oodhubillaah).

Nikaah and meat slaughtered by them one must exercise caution as we do with the Rawaafidh and Khawaarij"

Daleel no. 4

In the Kitaab 'Mi'ata Duroos' Hadhrat Thaanwi Rahimahullaah has written:

"Lesson no. 95: In our times, there are several Madhaahib all claiming to be on Haqq. By the Ijmaa' of the authorities of the Ahlus Sunnah, this group is restricted to the followers of the four Madhaahib. The Ghair Muqallids are free thinkers and followers of their desires. Their claim of following Hadeeth is false. They are not the Ahlul Hadeeth although they have selected this name for themselves. They are in reality ignorant people who lead ignorant people in turn despite their outward garb and attire of great scholars. In essence, they are very much like the Rawaafidh and Mu'tazilah in their belief and origin – So Beware of them! Beware of them!

"Ijmaa' of the authorities of the Ahlus Sunnah"

In the matter of Ijmaa' the view of every Tom, Dick and Harry is not taken into account. Only the views of senior, learned Ulamaa are considered. After this, whoever wishes may follow any path he wishes. The Ittifaaq and Ikhtilaaf (opinions differences and opposition) of the Ahle Baatil are not worth consideration. They may shout and howl all they like.

Just as in the matter of music and musical instruments, Ibn Hazam's view is that they are permissible. The Ijmaa' of the Ummat is that they are not. His Ikhtilaaf is of no consequence. In the Kitaab 'Shar'iFaislah' the following text appears:

"The view of Ibn Hazam is not taken into account. He is of the Zaahiri sect and is not part of the Ahlus Sunnah" [pg 94]

In this treatise, Hadhrat Thanwi has outlined four deviant groups of our time. All fall under the category of Ahlul Hawaa. They are: The Ghair Muqallids
The Radhaa Khaani Bid'atis
The Raafidhi Shee'ahs
The Modernists

We should be wary of them – May Allaah protect all of us from their evil.

Daleel no. 5

The following appears in Imdaadul Fataawa vol.4 pg. 493:

Q: What is the ruling regarding the present day Ghair Muqallids who call themselves the Ahle Hadeeth?

A: In their differences with the Ahlus Sunnah in Masaail Far'iyyah (subsidiary masaail) they are not Khaarij (expelled) from the Ahlus Sunnah as all these variances are based on Qur'aan, Sunnah, Ijmaa' and the Qiyaas of the Mujtahideen.

However, some of them hold Aqaa'id (beliefs) which are contrary to that of the mainstream Ahlus Sunnah. In this matter they have gone against the Ijmaa' of the Ummat and the Jamhoor Ulamaa. This group is not included in the Ahlus Sunnah. They are astray and to follow them is not permissible.

Daleel no. 6

The following is also taken from Imdaadul Faaawah – question no. 582

“Our differences with the Ghair Muqallideen are not only in subsidiary Masaa’il. These differences have always been found among the Muslims despite which, there has never been any bad blood and in-fighting amongst them.

The differences with them are more serious, they are in the Usools (principles) of Deen. Among these is their disrespect of the pious predecessors[14] (Salaf) – in this matter, they have not even spared the Sahaabah. They do not accept the Ijmaa’ of the Ummat and brand Umar τ an innovator [Na’oothbillaah]

They call themselves Muwahhid and brand the Muslims as Mushrikeen. They consider Taqleed a Jaahili custom and misconstrue proofs to suit themselves. They say that Fiqh is Dhalaalat etc. In this way, they have created great mischief and confusion among the believers. They oppose the Imaams of the Muslims and have been instrumental in destroying the Islaamic Khilaafat. Among their terrible Aqaaid is their belief regarding Istiwaa: They say that Allaah is sitting on the Arsh with His feet on the Kursi! [ref. Shar’I Faislah pg.450 and Risaalah Ihtiwaa Alaa Mas’asah Istiwaa] – in this Baatil, they have equated Allaah to an idol of Jaahiliyyah! Na’oodhubillaah! They have broken away from the Ahlus Sunnah and are on a path of their own, far from that of the Sahaabah and the Imaams of the Ahlus Sunnah from the first century of Islaam. They are a confused group of dubious origin, they are bent on sowing discord and confusion in the Ummat.”
[Imdaadul Fataawah vol. 4 pg. 562]

Daleel no. 7

In the Mashwarah for the centenary Jalsah of Daarul Uloom Deoband, it was decided that only adherents of the Ahlus Sunnah wal Jamaa’ah would be invited. None of the Firaqe Baatilah will be called. The first question to come to the fore was regarding the

[14] Strangely enough, these are the very people who now call themselves Salafi?

Ghair Muqallideen. All the Asaatidhah and Araakeen of Daarul Uloom unanimously agreed that they are not part of us. As a result, no Ghair Muqallid Aalim was invited.
Then the Jamaat of Mr. Maudoodi was brought under question. It was decided that they will also not be invited.

Daleel No. 8

The Ghair Muqallids have chosen the name Ahlul Hadeeth for themselves. Let us take a deeper look at this name and thereby decide whether Ahlul Hadeeth are Ahlus Sunnah or not.
Sunnat means: ‘At Tareeqatul Maslookah fid Deen’ – i.e. The followed/accepted path in Deen.

Hadeeth is a saying, action or quality/description of Rasulullaah ρ. This includes those things which are peculiar to the Rasul of Allaah, those matters which are Mu’awwal (in need of interpretation) and those which are Mansookh (abrogated).

Every Hadeeth is not Sunnat but every Sunnah is proven from Hadeeth.

Similarly, all the actions and commands of the Khulafaa’e Raashideen are also Sunnah even though they may not be called Hadeeth e.g. 20 Rak’ats of Taraaweeh.

Those Ahaadeeth which are accepted for Amal are Sunnah, while every Hadeeth is not Sunnah. Some Ahaadeeth may be Khaas, Mu’awwal or Mansookh (restricted to a special incident or condition, interpreted or abrogated). Some actions may not be established from a Hadeeth but they will be Sunnah e.g. the 2nd Adhaan for Jumu’ah.

In the Hadeeth, we have been commanded to hold on to the Sunnah:

"Who holds onto my Sunnah in the time of Fitnah will receive the reward of 100 Shaheed" [Mishkaat Hadeeth no. 176]

"I am leaving behind two things. So long as you hold on to them, you will never go astray: The Kitaab of Allaah and The Sunnah of His Rasul" [Mishkaat Hadeeth no. 186]

"Three things constitute Ilm: The Muhkam aayaat of Qur'aan, The established Sunnah of the Rasul and the science of Faraaidh. Everything else is secondary."[Ibid no. 239]

In another Hadeeth the virtue of Hadeeth has been mentioned:

"May Allaah honor the person who hears my Hadeeth and guards it…"

The Sawaade A'zam (great multitude) of the Ummat since the best of days has been the Ahlus Sunnah and not the new founded Ahlul Hadeeth. The self-styled 'Ahlul Hadeeth' are not part of the Ahlus Sunnah and in reality are not even Ahlul Hadeeth. Their use of this name is fraudulent and deceptive.

The Madh-hab of the Ahlus Sunnah is based on the Qur'aan, Sunnah and Ijmaa'. Their way has been handed down generation after generation from the best of every era to the best of every era.

In his Kitaab 'Aqdul Jayyid', Shah Waliyullaah has described this group as people who do not accept the Ijmaa' of the Ahlus Sunnah and the actions of the Sahaabah as part of Deen.

In 'AlQowlul Jameel', Shah Saheb has warned the Muslims from associating with them.

The Rank of the Sahaabah τ:

Sahaabah are the criterion of Haqq.

[From the writings of Shah Waliullaah Dehlawi – Rahmatullaahil Waasi'ah vol.2 pg. 59]

Prior to Rasulullaah ρ, every Nabi was sent to a specific nation. It is narrated in Bukhaari:

"The (previous) Ambiyaa were sent to their nations specially, while I have been sent to all of mankind."

At that time, the chain of Nabuwwat was still running. Every Nabi who came would take the place of the Nabi before him as a continuation of Nabuwwat. At that time, no Ummat had the virtue of being Mab'ooth [specially sent and delegated by Allaah] – this virtue was reserved for the Ambiyaa only.

Rasulullaah ρ is Khaatamul Ambiyaa – the seal of all Ambiyaa. Due to this, His Ummat has the unique privilege of also being Mab'ooth! There is a narration in Saheehain[15]:

"The Ambiyaa υ used to run the affairs of the Bani Israa'eel. Every time a Nabi passed on, another would replace him. And there is certainly no (new) Nabi to come after me (to take my place)"

In other words, after Rasulullaah ρ, His Ummat will continue His work and perpetuate His message.

There is a special category of people called the 'Mufhameen'. These are people who have been nurtured directly by Allaah. Then there

[15] Bukhaari and Muslim

are several levels among this group[16]. Rasulullaah ρ is the only person in history who was Jaami’ (inclusive) of all these levels. No other Nabi or angel has reached this stage. That is why the virtue of Sayyidinaa Muhammad ρ alone, excels those of the entire creation put together and for this reason, He has reached the highest position in the creation of Allaah.

This Bi’that [sending/selection of the Ummat by Allaah Ta’ala for the mission of Rasulullaah ρ] is likened to a second Bi’that or a continuation of the Bi’that of Rasulullaah ρ.

Shah Saahib has mentioned three Dalaa’il (proofs) for this:

Daleel no. 1:

The Aayah of the Quraan:

“And We have sent you to all of mankind as a carrier of glad tidings and as a concerned warner, but (what is it) that the majority of them do not understand?!”

Rasulullaah ρ was sent to all people Arab and Non-Arab, coming till Qiyaamah. Now it was not possible for one person to carry the message of Allaah to all of mankind alone. The Bi’that of Rasulullaah ρ is thus divided into two:

1.) His direct effort on the Arabs during His lifetime.
2.) The effort of the Sahaabah on the rest of the people after His demise.

The Sahaabah were the first group of this Ummat and were thus the deputies of the Rasul. This was their Bi’that – and in a way was the continuation of the Bi’that of the Rasul Himself.

[16] There are eight levels. The details of which can be found in Rahmatullaahil Waasi’ah vol.2 pg. 46

In Surah Al-Jumu’ah verses 2-4, this Ummat has been divided into two groups:

“It is He who sent among the unlettered nation (the Arabs) a Rasul from among themselves who recites His Aayaat (the Qur’aan) to them, (spiritually) purifies them and teaches them the Book and wisdom (the Sunnah). Without doubt they were in clear deviation (error) before this (coming of Rasulullaah ρ)”

“And (Allaah has also sent His Rasul as a prophet to) other people (who will soon be) from them (Muslims like the Sahaabah) whom they (the Sahaabah) have not yet met. He is the Mighty, the Wise.”(guides and uses for guidance whoever He wills – Arab or Non-Arab.)

In this passage, the Arabs have been called ‘Ummi’ (unlettered). This refers to the Arabs of that time, most of whom were the offsprings of Isma’eel υ. The Rasul was sent directly to these people due to which He was called Nabiyyil-Ummi (Nabi of the unlettered people) in Suratul A’raaf:157/8 and this name has also been used in the Tauraat and Injeel. This is the first group of the Ummat.

‘Aakhareen’ (others) refers to the second group and includes all the Non-Arabs and all still to come into the world.

These two words are joined with the letter ‘Wa’ which comes for Ittihaad and Mughaayarat (i.e. it shows oneness of purpose as well as a difference).

The Ittihaad is that Rasulullah ρ has been sent to all of mankind – Arab and Ajam (Non-Arab).

Mughaayarat (difference) is that He was sent directly to the Arabs of His time and indirectly to the rest i.e. through the medium of His deputies: the Sahaabah.

The next Aayah:

"This (sending of Muhammad) is Allaah's grace which He grants to who He wills."

Indicates that not all of mankind will accept the Message. But this is not due to any shortcoming in Allaah's favour, hence:

"And Allaah is the possessor of immence grace"

Indicates that the shortcoming is on the part of the disbeliever who refuses to accept the Truth!

So when Rasulullaah ρ had completed His duty and the people of Arabia came streaming into Islaam, Allaah revealed Surah An-Nasr. In this Surah, the Rasul of Allaah was told to prepare for His journey onto the next life, as his worldly responsibility had been completed. The next stage of the work is not your responsibility – the Sahaabah will complete it.

Daleel no. 2

Surah Aal Imraan Aayah 110:

"You (the followers of Muhammad ρ) are the best of all nations. You have been extracted for (the benefit and guidance of) mankind. You command that which is good and forbid from evil and believe in Allaah. If the Ahlul Kitaab were to accept Imaan it would be better for them – Some of them are Mu'mineen while most of them are disobedient."

There are three sayings of Umar τ regarding this Aayah –

Ibn Jareer Tabari and Ibn Abi Haatim narrate from Suddi who is a Taabi'ee that Umar Radhiallaahu said:

1.) "If Allaah willed, He could have said 'Antum' – Then all of the believers would have been included in the virtue of this Aayah; but Allaah has said 'Kuntum' – This virtue is thus reserved specially for the Companions of Muhammad ρ.

Whoever will follow their way after them will then be included in the 'Best of Ummats'"

2.) "This virtue is reserved for the first of this Ummat and not its latter part."

3.) Ibn Jareer narrates from Qataadah: "Umar once recited this Aayah then said: "O People! Whoever wishes to be part of the virtue mentioned herein must fulfill the condition mention therein!"

These three narrations have been recorded in Kanzul Ummaal Vol. 2 Pg. 375/376.

The 1st and 3rd are recorded in Hayaatus Sahaabah Vol. 1 Pg. 17.

According to Arabic Grammar (Nahw), 'Antum Khaira Ummah' is a 'Jumlah Ismiyyah Khabariyyah' (nominal information sentence) which comes for Thuboot and Istimraar i.e. to prove something generally/continuously. E.g. 'Zaidun Qaa'imun' means 'Zaid is standing'. There is no discussion about time, place or any other details.

In 'Kuntum Khaira Ummah' the word 'Antum' (you) is the Ism (norms) of the Dhameer Kaana and 'Khaira Ummah' is the Khabr (precident) of Kaana. This type of sentence is limited in its purport and is not general in its meaning.

Putting all of this together, we see that this Aayah is addressed specifically to the Sahaabah that: "You [the companions of Muhammad ρ] are the best of this Ummat. You have been selected to carry this Ilm with which you benefit people and guide them to righteousness. It is your responsibility as the students of Muhammad ρ and as the first of this Ummat to carry this message to the world. You will enjoin good and forbid from evil and you will invite to Imaan. The Ahlul Kitaab (Jews) are not part of this Khairul Ummah even though they reside in Madeenah. Those who bring Imaan from among them will be included among you, but the majority will not.

Now it is necessary, and it is our belief that the Nabi is Ma'soom (protected) so that we can have full reliance (I'timaad) on the Nabi and the truth of his message. In this way, it is necessary for the Sahaabah to be Mahfooz (protected) since they are also Mab'ooth (sent) and they are the link between the Ummat and The Rasul.

Their Adaalat (justice and virtue) must be established if we are accept what they have conveyed to us; and so we find the sayings of Rasulullaah ρ in favour of His Sahaabah:

"All of my Sahaabah are 'Adool' (on the highest level of trustworthiness and truth)"

and

"My Sahaabah are like the guiding stars. In whosoever of them you will follow, you will find Hidaayah"

The virtue of being guides for mankind while themselves being rightly guided applies to every individual of that blessed group without exception.

This 'Adaalat' and 'Hifaazat' is basis of the Sahaabah being the Mi'yaar of Haqq – The Criterion of Haqq. What they have transmitted to us is Deen, what they said or did is Haqq and Sunnah! – Their Taqleed is binding upon the Ummah.

There are some unfortunate people who do not accept this. Let them think, that all they have from Muhammad ρ has come via the Sahaabah. If there is no I'timaad on them, then what remains of what they have relayed?!

The Sahaabah were the only group among the Muslims, who as a full group, every one of whom was chosen and sent by Allaah specifically for the work of the Ambiyaa.

Due to this, they are Mahfooz and Ma'moon (Protected) from every incorrect Aqeedah (belief) and every wrong Amal.

Daleel No. 3

There is a Riwaayah in Bukhaari that a Bedouin urinated in the Masjid. The Sahaabah wanted to apprehend him. Rasulullaah ρ said: "Leave him, and when he is done, wash it away with a few buckets of water…" He then said:

"Fa Innamaa Bu'ithtum Muyassireen Walam Tu'Athu Mu'Assireen"
[For you have been sent to show the way of ease and not to make things difficult]

[Kitaabul Wudhoo Hadeeth no. 220 Bukhari and Mishkaat Hadeeth no. 491]

In this Hadeeth, the word Ba'atha is used clearly. Allaamah Sindhi has written in his commentary: "This Hadeeth is a clear proof that theUmmat of Muhammad ρ is also Mab'ooth (sent) – and this establishes a 'second' sending for the Rasul"
Rasulullaah ρ is the last of the Ambiyaa. There is no new Nabi or Rasul to come. Due to this, the Ummat has been selected to perpetuate the work of the Rasul. The work and teachings of the Rasul are his Kamaalaat (exemplary achievements) and while Nabuwwat has been completed, the Kamaalaat of the Nabi will still continue to shine. Yes, due to Khatme Nabuwwah, no person can claim to be a Nabi – any such person will be termed a Dajjaal (deviate).

The Istinaad (analysis) of the Hadeeth:

"As-haabee Kan Nujoom. Bi Ayyihim Iqtadaytum Ihtadaytum"

**[My Sahaabah are like the guiding stars.
Whosoever of them you will follow, you will be guided]**

This Hadeeth has been narrated by six different Sahaabah:

1. Ibn Umar τ
2. Jaabir τ
3. Umar τ
4. Anas τ
5. Abu Hurairah τ
6. Ibn Abbaas τ

It is also narrated Dhahhaak ibn Muzaahim Hilaali in a Mursal form.

1] The Narration of Ibn Umar:

> Reference to Urdu Version (Pg 89, no 1)

In this Sanad, Hamza ibn Abi Hamza AlJazri is a weak narrator.
Regarding him:

- Imaam Yahya Ibn Ma'een said: "He is not worth a cent"
- Imaam Bukhaari said: "He is Munkarul Hadeeth (rejector)"
- Dar Qutni said: "He is Matrook (discarder)"
- Ibn Adi said: "Most of his narrations are Matrook"
- Tirmidhi has included one of his narrations in his Kitaab (Baabul Istidhaan) but then said: "This Hadeeth is Munkar – Hamza is Dha'eef in Hadeeth. [Tuhfatul Ahwazee Vol. 3 pg. 391]

Verdict:

This Raawi (narrator) is Dha'eef Jiddan (very weak)

2] The Riwaayah (narration) of Jaabir

> Reference to Urdu Version (Pg 90, no 2)

Regarding this Sanad:

- Dar Qutni said: This Riwaayah is not proven from Maalik and its Narrators are Majhool (unknown). [Lisaan]
- Haafiz has said: Jameel is not Ma'roof (known) [Talkhees]
- Abu Haatim Raazi said: Laa A'rifuhu (not known) [Lisaan]

Allaamah Ibn Abdil Barr has narrated it in 'Jaami' Bayaanil Ilm' through this Sanad:

> Reference to Urdu Version (Pg 90, no 3)

But then he says: This Sanad is not strong enough to be used as Hujjat because Haarith Ibn Ghadheen is Majhool.
In Lisaanul Meezaan, Haafiz has narrated this statement of Allaamah Ibn Abdil Barr. He then wrote:

- Toosi has mentioned him in his 'Tadhkirah Rijaalush Shee'ah'
- Ibn Hibbaan has mentioned him in his 'Kitaabuth Thiqaat'

Verdict:

The Jarah (critical comment) in this Riwaayah is not very severe. The Raawi (narrator) is Majhool (unknown) but the two

Sanads (chains of narrations) lend strength to each other. This Tareeq is Dha'eef (weak) but not Dha'eef Jiddan.

3] The Riwaayah of Umar τ

> Reference to Urdu Version (Pg 91, no 4)

Razeen's Tareeq has the following addition

> Reference to Urdu Version (Pg 91, no 5)

- The author of Mishkaat has included this Riwaayah in his Kitaab.
- Abu Bakr Al Bazzaar has also narrated it (Talkheesul Habeer pg. 404 and Jaami' Bayaanil Ilm)
- Dhahabi has also mentioned it in Meezaanul I'tidaal

This Tareeq is also Dha'eef.

Regarding Abdurraheem
- Bukhaari has said: Tarakoohu (the Muhadditheen have left him out)
- Ibn Ma'een said: Kadhaab (liar) and Laisa Bi Shai' (he is nothing)
- Jawzjaani said: Ghair Thiqah (not reliable)
- Abu Haatim said: Turika Hadeethuhu (his narrations are left out)
- Abu Zar'ah said: Waahin (weak)
- Abu Dawood said: Dha'eef (weak)

Verdict:

This Riwaayat is also Dha'eef because of Abdurraheem.

4] The Riwaayah of Abu Hurairah τ

> Reference to Urdu Version (Pg 91/92, no 6)

This Tareeq is also Dha'eef Jiddan.
Regarding Ja'far ibn Abdil Ahad:
- Dar Qutni said: He fabricates Hadeeth
- Abu Zar'ah said: He narrates baseless Ahaadeeth
- Ibn Adi said: He 'steals' Hadeeth and narrates Munkar Ahaadeeth

5] The Riwaayah of Anas τ

Bazzaar has narrated this Hadeeth but in Talkhees, Haafiz has said: Its Sanad is no good.

6] The Riwaayah of Ibn Abbaas τ

Baihaqi has narrated this Hadeeth in 'AlMadkhal' and Munaawi has mentioned it in Faidhul Qadeer Sharah Jaami'us Sagheer but he has not mentioned its Sanad nor has he commented on it.

> Reference to Urdu Version (Pg 92, no 7)

7] The Mursal Hadeeth from Dhahhaak

Ibn Hajar has mentioned it in Talkhees. He said: Abu Dhar Harawi has narrated it in Kitaabus Sunnah but its Sanad is Dhaeef.

[End of the seven Tareeqs of this Hadeeth]

This Hadeeth has been narrated through several chains. After putting all of them together, it reaches the level of Dha'eef at the very least.

In 'At ta'leequs Sabeeh' – the Sharah of Mishkaat, the following has been said: "its Sanad is weak but the various Sanads complement each other as has been mentioned in Zafarul Amaani, the Sharah of Mukhtasar Jurjaani"

Similar to this is the Hadeeth: "The minimum Haidh is 3 days and the maximum is 10" which has also been narrated from 6 Sahaabah and all six Tareeqs are very Dha'eef. After putting all the chains together, the Hadeeth reaches the level of Dha'eef.

According to the Ahnaaf, a Dha'eef Hadeeth is given preference over the Rai (opinion) of any Mujtahid and therefore they accept it.

The Hadeeth we are discussing also reaches the level of Dha'eef and a Dha'eef Hadeeth concerning Fadhaail is accepted unanimously.

Ibn Hazam Zaahiri has said: "This Hadeeth is Makdhoob Mawdhoo' Baatil" but his verdict is not worth considering. Bazzaar has said: "It is not Saheeh". This verdict is correct since a Hadeeth which is not Saheeh is Dha'eef and not Baatil and Mawdhoo'.

There is a worlds difference between the two!

Bazzaar has raised another objection to this Hadeeth. He says: "This Hadeeth contradicts the Saheeh Hadeeth of Rasulullaah ρ: 'Hold on to my Sunnah and that of the rightly guided Khulafaa after me' in that there were differences among the Sahaabah and these cannot be clearly understood."

But Allaamah Ibn Abdil Barr gave the following answer:

"The Kalaam of Bazzaar is not completely correct. Each Sahaabi in his own right was on Haqq and thus worthy of being followed. As for their internal dispute, this too was a source of guidance for the Ummat."

Generally you will find that whenever the Ahnaaf have a Riwaayat in support of their Madh-hab and the Ashaabul Hadeeth don't, then their common argument is that the Riwaayat is Dha'eef or Ghair Mu'tabar (not reliable). There are many examples of this.

In the Mas'alah of laughing aloud breaking Salaat and Wudhu; the minimum and maximum periods of Haidh; Qiraa'at Khalfal Imaam etc. this is the argument of the others. Yet in most of these Masaa'il, the Ahaadeeth in question are Mu'tabar. For details refer to I'laaus Sunan.

The Ahnaaf use the Hadeeth "As-haabee kan Nujoom" in support of their Madh-hab that the Aqwaal and Fataawa of the Sahaabah are Hujjat in Deen.

According to the Ahnaaf, the saying of a Sahaabi is an accepted Hujjat in Deen even if there is no consensus among them.

The other Imaams only accept the Ittifaaq of Sahaabah as Hujjat. In the case of a single Athar (saying) of a Sahaabi, he may accept it or reject it with his own Ijtihaad.

Shah Waliyullaah has quoted the saying of Imaam Shaafi'ee in this regard: "it is not necessary to follow the individual Sahaabi unless there is Ittifaaq among them…" (Hujjatullaah pg 147)

According to the Ahnaaf, if an Athar of a Sahaabi is presented, the Mujtahid will not make his own Ijtihaad.

So according to their habit, the As-haabul Hadeeth declare this Hadeeth as Ghair Mu'tabar. Strangest of the lot is Haafiz Ibn Hajar who after gathering all the Turuq of this Hadeeth besides that of Ibn Abbaas, then brings Ibn Hazams Qowl (saying). Yet wherever it suits him, he would gather 2 or 3 Turuqs of a Hadeeth and then say: 'these few Turuqs strengthen each other, the Hadeeth is therefore acceptable'! Here he turns the table completely. Ibn Hajar is notorious for these types of inconsistencies.

Further:

-If a Hadeeth has several chains, all linking up to one Sahaabi, then this is a Daleel (proof) that the Riwaayat (narration) has an Asal (origin/basis)

-If a Hadeeth has several chains, leading to several Sahaabah, and if they are Dha'eef, the Riwaayat will be Hasan li Ghairihi.

-If a Hadeeth has several chains from several Sahaabah, and they are very Dha'eef, then all put together will become Dha'eef.

Keeping all these Usools in mind, the Hadeeth we are discussing at the very least will be said to be Dha'eef.

In fact, Mulla Ali Qaari has declared this Hadeeth Hasan li Ghairihi (see Maudhoo'aat Al-Kubraa)

Allaamah Abdul Ali Bahrul Uloom has also called it Hasan li Ghairihi.

The content of this Hadeeth is also supported by several others:
"All my Sahaabah are Adool (righteous and just)" etc.

The Hadeeth 'As-Haabee kan Nujoom' is thus acceptable as Hujjat.
After putting all of this together, the Usool of the Ahnaaf stands that

'The Aqwaal of Sahaabah are Hujjat in Deen and will gain preference over the Ijtihaad of any non Sahaabi'

Wallaahu A'lam

Sa'eed Ahmad
10 Muharram 1417
Deoband